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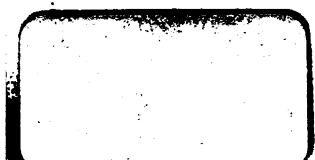
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*Vermont. General assembly. Senate*

THE  
JOURNAL OF THE SENATE  
OF THE  
STATE OF VERMONT,  
ANNUAL SESSION, 1865.



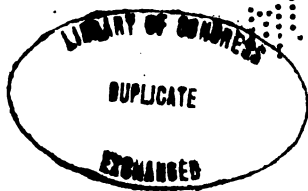
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## JOURNAL OF THE SENATE.

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Pursuant to the provisions of the Constitution and the Laws of the State of Vermont, the Senate convened in the State House at Montpelier, on the second Thursday, being the twelfth day, of October, in the year of our Lord one thousand eight hundred and sixty-five.

At ten o'clock in the forenoon, the Senate was called to order by his Honor, PAUL DILLINGHAM, the President.

Prayer was offered by the Rev. PLINY H. WHITE of Coventry.

The roll of the Senate was called, and the following senators answered to their names, to wit:

Addison County.....	LEWIS MEACHAM, MARCUS O. PORTER.
Bennington County.....	WILLIAM E. PARK, IRA COCHRAN.
Caledonia County.....	JONATHAN D. ABBOTT, GEORGE IDE.
Chittenden County.....	AMOS HOBART, ANSON J. CRANE, RUSSELL S. TAFT.
Essex County.....	LEMUEL H. TABOR.
Franklin County.....	WORTHINGTON C. SMITH, WILLIAM S. RUBLEE, ALBERT G. SOULE.
Grand Isle County.....	ASAH EL ALLEN.
Lamoille County.....	SAMUEL M. PENNOCK.
Orange County.....	JOHN B. HUTCHINSON, SAMUEL C. CLEMENT.

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Orleans County.....	LEMUEL RICHMOND, JONATHAN F. SKINNER.
Rutland County.....	PITT W. HYDE, JOHN HOWE, JR., SENECA M. DORR.
Washington County.....	CHARLES REED, DENSLOW UPHAM, WILLIAM W. HENRY.
Windham County.....	STEPHEN P. FLAGG, CHARLES BARRETT.
Windsor County.....	CLARK H. CHAPMAN, HOSEA DOTON, MERRICK GAY.

Thereupon the President of the Senate administered the oath of office.

On the nomination of the President, the following named senators were appointed, on the part of the Senate, as the committee to canvass the votes for Governor, Lieutenant Governor and Treasurer for the year ensuing, and they were thereupon duly sworn, to wit:

Addison County . . . . .	Mr. Meacham,
Bennington County . . . . .	" Park,
Caledonia County . . . . .	" Ide,
Chittenden County . . . . .	" Crane,
Essex County . . . . .	" Tabor,
Franklin County . . . . .	" Smith,
Grand Isle County . . . . .	" Allen,
Lamoille County . . . . .	" Pennock,
Orange County . . . . .	" Clement,
Orleans County . . . . .	" Richmond,
Rutland County . . . . .	" Dorr,
Washington County . . . . .	" Reed,
Windham County . . . . .	" Flagg,
Windsor County . . . . .	" Doton.

Mr. Chapman introduced the following resolution:

*Resolved*, That the Senate do now proceed to the election of a Secretary;

Which was read and adopted.

The ballots having been taken and examined for Secretary, it appeared that

HENRY CLARK,  
of Poultney, having received all the votes cast, was elected,  
and he thereupon took the oath of office.

Mr. Pennock introduced the following resolution :

*Resolved*, That the Senate now proceed to the election of an Assistant Secretary of the Senate ;

Which was read and adopted.

The ballots having been taken and examined for Assistant Secretary, it appeared that

JOSEPH P. LAMSON,

of Cabot, was elected, and he was thereupon sworn.

Mr. Richmond introduced the following resolution, which was read and adopted :

*Resolved*, That the Senate do now proceed to the election of Chaplain for the year ensuing.

On the motion of Mr. Skinner, the election was made by a *viva voce* vote, and the

REV. PLINY H. WHITE,

of Coventry, was elected.

Mr. Chapman introduced the following resolution :

*Resolved*, That the rules of the Senate for the Annual Session, 1864, be and the same are hereby adopted as the rules of the Senate until others are provided ;

Which was read and adopted.

Mr. Flagg introduced the following resolution :

*Resolved*, That the Secretary be directed to furnish each senator and officer of the Senate with one daily newspaper, printed in this State, to be designated by the senators and officers ;

Which was read and adopted.

Mr. Richmond introduced the following resolution :

*Resolved*, That the Secretary of the Senate be directed to inform the House that a quorum of the Senate has assembled and organized, and are ready, on their part, to proceed to the business of the session ;

Which was read and adopted.

Mr. Dorr introduced the following resolution :

*Resolved*, That a committee of two senators be appointed to inform the Governor that the Senate have organized, and are ready to proceed with the business of the session ;

Which was read and adopted.

The President appointed as the committee to wait on his Excellency, the Governor,

Senator Dorr of Rutland,

" Richmond of Orleans.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT: I am directed by the House to inform the Senate that a quorum of the House of Representatives has assembled in the Representatives' Hall, and the House have organized by the election of John W. Stewart, representative from Middlebury, Speaker, and John H. Flagg, of Wilmington, Clerk, and that the House are ready, on their part, to proceed with the business of the session.

Mr. Dorr, from the committee appointed to wait upon his Excellency, the Governor, reported that they had performed the duty assigned them.

On motion of Mr. Richmond, the Senate adjourned.

#### AFTERNOON.

Mr. Reed introduced the following joint resolution :

*Resolved by the Senate and House of Representatives,* That the Clerk of the House be instructed to procure, for the use of the members of both Houses, seven hundred copies of a Legislative Directory for the present session. The contents of four hundred copies shall be the same as in the Directory of 1864, with the addition of the population and grand list of the several towns of the State, and be bound in the same manner as the Directory of 1864. The contents of three hundred copies of the same shall be the same as in the Directory of 1863 ; and the said last named copies shall be bound in paper ;

Which was read and adopted on the part of the Senate.

Mr. Richmond introduced the following joint resolution :

*Resolved by the Senate and House of Representatives,* That the joint rules of last session be adopted as the joint rules of this session, until others are adopted ;

Which was read and adopted on the part of the Senate.

Mr. Hyde introduced the following joint resolution :

*Resolved by the Senate and House of Representatives,* That both Houses meet in Joint Assembly, at eleven o'clock to-morrow morning, to hear the report of the committee appointed to canvass the votes for Governor, Lieutenant Governor and Treasurer ;

Which was read and adopted on the part of the Senate.

A message was received from his Excellency, the Governor, by Mr. Williams, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor to transmit to the Senate a message to the General Assembly.

The message of his Excellency, the Governor, was read by the Secretary, and is as follows :

*Gentlemen of the Senate  
and House of Representatives :*

In the enjoyment of the blessings of Peace, once more restored to the country, you meet for the exercise of the trusts reposed in you by the Constitution of the State. It becomes us to render praise to Almighty God for the signal interposition of His power in giving us the victory.

The termination of my official relations with the State, and the nature and importance of the transactions of the past year, connected as they are with the closing of the war, seem to demand from me a brief report.

#### FINANCES.

From the report of the Treasurer, herewith transmitted, the following statement of the financial condition of the State is obtained :

RECEIPTS FOR THE YEAR ENDING SEPTEMBER 5, 1865.	
Balance on hand, Sept. 5, 1864,	\$424,096 56
State Bonds issued, including premium and interest,	250,721 35
Taxes and interest thereon,	1,210,376 92
County clerks and judges of probate,	27,760 77
Balance due for allotments,	38,049 04
Other sources,	58,264 87
	<hr/>
	\$2,009,269 51

#### DISBURSEMENTS FOR SAME PERIOD.

Debentures of the General Assembly, and salaries of various officers,	
	\$70,840 10
Court and Auditor's orders,	352,769 75
State pay and commutation thereof,	799,188 19
Allotments,	127,002 47
Militia (June pay-roll),	7,072 00
Loans paid,	70,500 00
Repaid towns, recruiting fund,	292,778 08
Special legislative appropriations,	20,220 36
Interest on Bonds, &c.,	140,477 42

Governor's warrants, to wit:	
Military expenses,	\$71,522 73
Aid to soldiers' families,	19,493 98—\$91,016 71
Board of Education,	4,388 07
Sundries,	20,519 35
	<hr/> \$1,996,772 50

Leaving balance in Treasury, Sept. 5, 1865, \$12,497 01

#### FUNDED LIABILITIES.

Bonds due June 1st, 1870,	\$900,000 00
Bonds due Dec. 1st, 1874,	250,000 00
Bonds due Dec. 1st, 1876,	250,000 00
Bonds due Dec. 1st, 1878,	250,000 00
Due towns, U. S. surplus fund,	11,179 18

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\$1,661,179 18

Of this amount the bonds due Dec. 1st, 1878, amounting to \$250,000 00, were issued during the past year.

#### CURRENT LIABILITIES.

Loan due Nov. 21st, 1865,	\$25,000 00
Due county treasurers,	2,910 24
Due allotments,	38,049 04
Due Receivers of Danby Bank, safety fund,	12,375 00
Due Agricultural College fund,	65 10
Estimated balance due for extra pay to soldiers,	118,000 00

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\$196,399 38

#### CURRENT RESOURCES.

Balance in Treasury,	\$12,497 01
Due on tax, 1864,	9,414 59
Surplus fund notes,	1,500 00
	<hr/> \$23,411 60

Excess of current liabilities, \$172,987 78

Orders have been drawn by me on the Treasurer from Sept. 1st, 1864, to Oct. 9th, 1865, less amount refunded, amounting to \$66,750 27, which may be classified as follows:

Services and expenses of recruiting officers,	\$13,587 22
Subsistence of rejected recruits,	358 96
Transportation of rejected recruits,	521 54
Services and expenses arresting deserters,	74 38

State pay prior to muster and pay of officers,	\$711 81
Expenses organizing State Militia,	1,014 60
Telegrams (Aug. 1, 1864, to Sept. 1, 1865),	1,881 95
Expenses special agents,	295 47
Expenses agency for aid to soldiers' families, two years,	559 74
Services and expenses of Volunteer Surgeons in 1864,	2,057 94
Vermont's proportion of expenses for Gettys. burg Cemetery,	1,261 59
For defense of frontier :	
Services and expenses officers, &c.,	\$2,850 18
Subsistence of soldiers,	3,696 63
Pay-rolls for guard duty,	3,712 00
Miscellaneous items,	220 00—10,478 81
Care of sick and wounded soldiers, including services and expenses of Commissioner and State Agents,	10,495 23
Expenses of Executive Department for 1863, 1864 and 1865,	5,160 47
Expenses Adjutant and Inspector General's office, from June 1, 1864, to October 1, 1865,	13,028 93
Services and expenses of Surgeon General,	300 25
Expenses of Treasurer's office, Dec., 1863, to Dec. 1, 1864,	4,961 38
	<hr/> \$66,750 27

In addition to the above, orders were drawn for the expenses attending the application for the extradition of the St. Albans raiders. This amount has been presented to the United States for payment, and allowed, and a draft for the amount will arrive, as I am officially informed, by due course of mail. As these were simply a temporary advance to the United States, they have not been included in the above statement.

The following summary exhibits the extraordinary receipts and disbursements for the past four years :

RECEIPTS.	
Taxes,	\$3,406,093 26
State Bonds outstanding,	1,650,000 00
Reimbursements from United States,	607,303 11
	<hr/> \$5,663,396 37

## DISBURSEMENTS.

Governor's warrants and Auditor's orders approved by the Governor,	\$1,179,938 08
Extra pay to soldiers,	3,275,804 92
Direct tax paid United States.	179,407 80
State Bonds paid,	150,000 00
Ordinary expenses, including interest on Bonds,	878,245 57
	<hr/>
	\$5,663,396 37

Over one million, two hundred and fifty thousand dollars have been received by the State Treasurer from soldiers in the field, and distributed to their assignees.

The amount expended by, and due from, the State for war purposes, may be approximately stated as follows:

General military expenses.	\$1,180,000 00
Extra pay to soldiers,	3,394,000 00
Direct tax to United States,	179,407 80
Interest on the debt, over premium and interest received on Bonds,	320,000 00
	<hr/>
	\$5,073,407 80

In addition to this sum may be added the sum paid by towns for bounties to soldiers, which will amount to at least *four millions, two hundred and fifty thousand dollars, making the total contributions of this State in aid of the Government in subduing the rebellion, nine millions, three hundred and twenty-three thousand, four hundred and seven dollars and eighty cents.*

I have no data from which to make an estimate of the amounts paid by the people of this State in direct taxes to the United States, which amount should properly be added.

## MILITARY.

The report of the Adjutant and Inspector General exhibits the condition of the State as regards its military affairs, and will furnish in detail the transactions in that Department.

At the date of my last communication to the Legislature, the surplus of men furnished by Vermont, over all calls from the President, was one thousand and fourteen men. This number was augmented by recruiting in the State, between the 1st day of October and 19th day of December, one hundred and fifty-four men, making, at the latter date, a net surplus of eleven hundred and sixty-eight men, to apply on any future call to be made by the President.

On the 19th day of December, 1864, a call was made by the President for three hundred thousand men, to be furnished by volunteering previous to February 15th, 1865, and an order was issued directing that a draft be made on that day for any deficiency that might then be found to exist.

Under this call the quota of the State was computed and assessed by the War Department at eighteen hundred and thirty-two men, *after deducting all credits due* to the State for men previously furnished.

This computation and assessment was so at variance with the accounts and records in the office of the Adjutant and Inspector General of this State, and operated with such manifest injustice, that I immediately directed notice to be given to the proper department, that the quota, as assessed, could not be accepted, until the proper corrections were made.

Failing to accomplish the desired results by correspondence, I proceeded to Washington, and procured such re-adjustment of the quotas as conformed to the records of the State, thus reducing the number of men to be furnished by the State, from eighteen hundred and thirty-two, to eleven hundred and ninety-six, a difference of six hundred and thirty-six. Estimating this number at the rate paid by the several towns for bounties, which then amounted to about one thousand dollars for each recruit, a saving was made to the towns of over six hundred thousand dollars.

This quota of eleven hundred and ninety-six men was immediately thereupon assessed to the different towns, in due proportions, and the entire number, with a large surplus, was promptly furnished by the State, and forwarded to the regiments in the field.

The surplus standing to the credit of the State, at the final close of the rebellion, over all calls made by the government, is *six hundred and ninety-seven men*.

At the earliest practicable moment after the surrender of the rebel armies, orders were issued by the War Department for the reduction of the Federal army.

The first orders issued limited the number to be discharged to those whose terms of service would expire on or before October 1st, 1865. Under this order, small detachments from nearly all the regiments in the field, from this State, were left, which, under the general orders, were to be consolidated and retained in service until further orders from the Government.

Deeming it desirable, both for the interests of the State—for the retrenchment of its expenses, as well as a matter of great interest to the soldiers, who had acquitted themselves so creditably under every ordeal, I made personal application to the Secretary of War for such modification of the general orders as would permit all the regiments in the field, from this State, to be discharged.

This request was granted, so far as related to the organizations from this State in the army of the Potomac, and the Second, Third, Fourth, Fifth, Sixth, Eighth, Tenth, Eleventh, Seventeenth and First Cavalry, Third Battery of Artillery, and all the artillery in the Department of the Gulf, were soon permitted to return to their homes. All these organizations have been duly mustered out and discharged.

These comprised all the Vermont organizations in service, except the Seventh Regiment, in the Department of the Gulf, and a detachment of the Ninth Regiment. By a recent order, the latter, comprising four companies, and numbering at last reports three hundred and eighty-eight men, have been ordered to be mustered out of service.

The Seventh still remains in service. I have, however, just received advices from the War Department giving assurance that it will soon return to the State to be mustered out. The aggregate of this regiment at last reports was five hundred and eighty-two men. The expenses of the State, as regards the item of extra pay of seven dollars per month, have thus been reduced from upwards of eighty thousand dollars to about four thousand dollars per month.

The number of men furnished by the State, for the year ending September 30, 1865, is as follows :

<i>Volunteer Recruits.</i>	
For one year,	989
two years,	28
three years,	617
four years,	12—1,646
<i>Substitutes.</i>	
For enrolled men,	175
drafted men,	11—186
<i>Drafted Men.</i>	
	13
	<hr/> 1,845

The total number of men furnished by the State during the war, is as follows :

*Volunteer Recruits.*

Number of three months men,	782
nine months men,	4,833
one year men,	2,747
two years men,	29
three years men,	22,352
four years men,	12—30,755

*Drafted and Substitutes.*

Drafted and held to service under draft of 1863,	2,825
Drafted and held to service in deficient sub- districts, from January 1st, 1864, to September 30, 1865,	159
Substitutes for enrolled men liable to draft,	816—3,800

Total men furnished, 34,555

equal to one in every nine and a fraction of her entire population, and of one in every four and a fraction of her entire male population.

Such is the proud record which Vermont has made in this great war against the domination of slavery. The sacrifice is worthy of the noble cause in which it was made, and will form a record attesting her devotion to the great and cardinal principles of a free government, that will be as imperishable and enduring as time itself.

**ST. ALBANS RAID.**

In my communication of last year I referred briefly, and as far as prudence seemed to justify, to the hostile movements of organized bands of marauders in the neighboring province, threatening the safety of the frontier, and recommended that early provision be made for the defense of the State.

On the afternoon of October 19, 1864, a party numbering about twenty-three men, armed with revolvers, made an attack upon the banks in the village of St. Albans, and robbed them of about two hundred and ten thousand dollars. They came separately and by different routes, stopping at the several hotels in the place, and by preconcerted movement, divided into parties, a portion making their descent upon the banks simultaneously, while others, appointed for that purpose, were engaged in collecting horses from the neighboring stables and upon the streets, upon which the whole party

made their escape with their booty, fleeing to Canada. Attempts were also made by the party to burn several buildings, and in riding through the streets they fired indiscriminately upon the inhabitants, killing one person and wounding two others.

The suddenness and boldness of the attack,—the whole occupying a period of time not exceeding twenty or twenty-five minutes, from the time of entering the banks till they were out of the village,—for a moment paralyzed the people. Immediately, however, a party was organized and followed in pursuit. They failed to capture any of the parties or the money, on this side of the boundary line. Several of the parties were overtaken and arrested in Canada, and about ninety thousand dollars of the money recovered, which, with the parties arrested, was delivered to the authorities in Canada, to await the action of this government.

The parties so arrested then claimed to be confederate soldiers, and to have acted under the authority and sanction of the so-called confederate government, and to hold commissions from that government for that purpose; that the act committed was purely retaliatory, and but the commencement of a series of similar acts which were contemplated along the entire northern border.

I immediately communicated with his Excellency, the Governor General of Canada, apprizing him of the occurrence, and received from him a reply, expressing his profound regrets, and giving assurance that the government of Canada would do all things necessary and proper to bring the offenders to justice, and to prevent a recurrence of the outrage.

Subsequent advices from his Excellency informed me that the parties arrested in Canada had been, by direction of the government of Canada, ordered before Justice Coursol, of Montreal, for examination.

I also communicated to the President of the United States a detailed account of the affair. In reply to this communication, the Secretary of State dispatched a special agent to confer with me, to obtain the data necessary for a demand upon the British Government for a surrender of the guilty parties under the Extradition Treaty existing between the two governments, and at the same time requesting me to employ such counsel as I deemed proper to represent the United States in the examination of the arrested parties, and to do whatever was necessary to secure a proper and full hearing

of the case. In compliance with this request, I employed counsel, and directed the necessary witnesses to be summoned to appear before the Justice having the case in charge.

Much feeling was excited in Canada and on this side, and the hearing of the case, under various pretexts, was postponed from time to time, until the 13th day of December, 1864, when Justice Coursol, holding that he had no jurisdiction of the case, in a summary manner ordered the discharge of the parties under arrest, and directed Lamothe, the officer having the custody of the money, to deliver the same over to them.

Orders were immediately issued by the government of Canada for the re-arrest of the parties, and their trial before a more trusty magistrate, and Judge Coursol was suspended from the exercise of the functions of his office.

A portion only of the parties were re-arrested, the others having made good their escape. These were brought before Justice Smith, of Montreal, and after long delays the offenders were again released. No further attempts were made by our government to prosecute the case before the Canadian authorities.

The Canadian Parliament, at their next session, passed an act appropriating fifty thousand dollars in gold, to reimburse the money surrendered to the robbers by the action of Judge Coursol, and subsequently, in April last, the Canadian authorities returned to the St. Albans Bank twenty-one thousand sixty-seven dollars and sixty-five cents, in gold, from which they realized in currency of the United States thirty thousand nine hundred and forty-five dollars; to the First National Bank of St. Albans eighteen thousand four hundred forty-four dollars and ten cents, in gold, from which they realized twenty-seven thousand six hundred sixty-six dollars and twenty-seven cents in United States currency; and to the Franklin County Bank, thirty thousand and ten dollars in its own bills, making a total of thirty-nine thousand five hundred and twelve dollars and seventy-five cents in gold, equal to fifty-eight thousand six hundred and eleven dollars twenty-seven cents in currency; amounting, with the bills of the Franklin County Bank returned, to an aggregate of eighty-eight thousand six hundred and twenty-one dollars twenty-seven cents, leaving the loss of the banks, still unliquidated, about one hundred and twenty thousand dollars.

The expenses attending the trial for the extradition of these parties, and for which I drew orders on the Treasurer of the

State, amounted to nine thousand two hundred and sixty-eight dollars, twenty-six cents. These accounts, as I have before stated, have been duly presented to, and allowed by, the United States Government, and the money will soon be refunded.

The excitement consequent upon the raid, and the strong expression of sympathy exhibited for the marauders in many portions of Canada, which latter, it was feared, would encourage and stimulate parties to a repetition of similar outrages upon the border towns, causing serious apprehensions to be at one time entertained lest the relations between the two governments might, in consequence, be disturbed, produced, as was natural, a state of alarm and apprehension along the entire border of the frontier.

- To afford such reasonable security and protection as the nature of the case required, and to prevent a repetition of the occurrence, which seemed to be threatened, I directed that such provisional force be raised as the safety of the public demanded. The detailed statement of this force, and its disposition, will be found in the report of the Adjutant and Inspector General.

I also immediately conferred with the War Department on the subject of assuming the defense of the frontier, and of supplying the requisite forces for that purpose. Orders were accordingly soon issued by the War Department, authorizing the raising of a regiment of cavalry to be designated the First Regiment Frontier Cavalry, which, with other troops of the United States, were placed under command of Major General John A. Dix, commanding Department of the East, and were by him duly stationed at different points in New York and Vermont. The provisional forces temporarily organized under my directions, were then disbanded.

A full statement of the expenses attending this organization, and for the defense of the frontier, appears in the accounts of the Executive Department and Quartermaster General's report. The accounts and vouchers have all been carefully prepared, and the attention of the Government at Washington has been called to the subject, and it is believed that it will soon be in proper train of settlement, and the State reimbursed for the expenses.

#### STATE MILITIA.

The report of the Adjutant and Inspector General will ex-

hibit the full details of the organization of the militia of the State.

In compliance with the act providing for its organization, the State was properly and conveniently divided into military districts, comprising three brigades, twelve regiments, and one hundred and twenty companies.

In addition to the twelve regiments of infantry, one regiment of cavalry, divided into three battalions, and three batteries of artillery, have been organized. Of these, one battalion of cavalry and one battery of artillery, have been attached to each brigade. All the organizations have been uniformed, agreeably to the provisions of the law, and have been fully and completely armed and equipped. The detailed report of the Adjutant and Inspector General will more fully show the condition and efficiency of the several organizations.

In December last I made application to the Secretary of War for a supply in full of arms, equipments, ordnance and ordnance stores, and obtained from him fifteen thousand best Springfield rifled muskets, with equipments complete; ordnance for three batteries of artillery, with equipments complete, and cavalry equipments complete for one regiment of cavalry, together with a sufficient quantity of ammunition for the whole.

The report of the Quartermaster General will exhibit the amount of arms, equipments, ordnance, and ordnance stores now owned by the State, and the amount and value of that received from the War Department.

In compliance with the provisions of the act organizing the militia, and to properly secure and protect the large amount of military property belonging to the State, requiring to be stored, I directed the Quartermaster General to prepare and submit to me full plans and estimates of what would be required for an arsenal for the State. These having been duly submitted and approved by me, I directed that officer to proceed at once with the construction of the necessary buildings at Montpelier.

These buildings are now completed, and the State property stored therein. Detailed statements of the cost of construction will appear in the Quartermaster General's report.

#### ACCOUNTS OF THE STATE AGAINST THE UNITED STATES.

It was my desire and purpose to have closed all the accounts of the State against the United States, and to have

effected a full settlement with the government before retiring from office. This I have found it impossible to accomplish, owing to a variety of causes beyond my control.

The accounts, however, will all be left in proper form, with the requisite vouchers, and will be duly passed over by me to my successor in office.

#### STATE AID TO SOLDIERS' FAMILIES.

Hon. John Howe, Jr., of Brandon, has continued to discharge the duties arising under the act of the Legislature, granting assistance to the families of soldiers, during the past year. His report of the transactions for the year, ending September 1st, 1865, is herewith transmitted. From this it appears that the amount expended during the year was, \$17,584 58.

Number of families aided,	416
Number of persons aided,	1,832

The amount expended this year has undoubtedly been materially increased, by reason of complaints heretofore made of the inequality in the amount of aid rendered to different towns, thereby causing many to present claims who had not previously been applicants. Such inequalities are incident to the law, and not to the management of the office.

The total aid rendered during the four years Mr. Howe has had charge of this department has amounted to *seventy-three thousand five hundred and forty-two dollars and twenty cents*, and his expenses, during the same period, to one thousand three hundred and eleven dollars and sixty-seven cents. When these are compared with similar expenditures of other states, the amount is trifling, and the results attained attest to the faithfulness, integrity and discretion with which the duties have been performed.

#### SURGEON GENERAL.

In compliance with the provisions of the act organizing the militia, I appointed Samuel W. Thayer, M. D., of Burlington, Surgeon General of the State. His report of the transactions of his department will accompany the report of the Adjutant and Inspector General.

#### APPOINTMENT OF SECRETARY OF STATE.

The office of Secretary of State having become vacant in July last, by the death of Hon. George W. Bailey, Jr., I appointed George Nichols, of Northfield, for the unexpired term of said office.

## APPOINTMENT OF JUDGES OF SUPREME COURT.

On the 11th day of September last, Hon. Asa Owen Aldis, having received and accepted the appointment of Consul to Nice, tendered his resignation of his office as First Assistant Justice of the Supreme Court of this State. I accordingly appointed Hon. John Pierpont, of Vergennes, to fill said vacancy. I also, at the same time, appointed Hon. James Barrett of Woodstock, to be Second Assistant Justice, Hon. Loyal C. Kellogg of Rutland, to be Third Assistant Justice, Hon. Asahel Peck of Burlington, to be Fourth Assistant Justice, and Hon. Herman R. Beardsley of St. Albans, to be Fifth Assistant Justice. Commissions were duly issued to each for the unexpired term of the respective offices.

## CLOSE OF STATE AGENCIES IN WASHINGTON, NEW YORK, AND PHILADELPHIA.

The necessity for the further continuance of these agencies for the relief of the soldiers, having ceased to exist, I directed the several agents to close their agencies in full on the first day of October instant. This has been accordingly done.

To Col. F. F. Holbrook, agent at Washington, Col. Frank E. Howe, agent at New York, and Robert R. Corson, Esq., agent at Philadelphia, the State is largely indebted for their unremitting efforts to contribute to the wants and comfort of the soldiers, both in the field and in the hospital. Ever ready to sacrifice their own comfort, they have devoted their time and services to the great and philanthropic work, and their labors in this respect will long be remembered with warm affection and sincere gratitude by these brave and devoted heroes and their friends.

*Senators, and Gentlemen of the House:*

It is my happy fortune to retire from the responsible duties of the Executive office at a time when the nation rejoices in a triumphant peace. In the great conflict now closed, Vermont has well sustained her part. Her sacrifices, though great, have been cheerfully made. She has given of her sons with a willing heart; she has contributed of her substance with an unsparing hand. With an unselfish patriotism and steadfast devotion, she has responded to every demand of the general government with promptitude and zeal, always doing more than her allotted part, and closing her final record with a large surplus of men to her credit.

Her gallant sons have surpassed the splendor of her ancient

fame; on every battle-field and under every trying ordeal, ever first and foremost in all that constitutes the highest glory of the soldier.

I restore to the State the trusts which have been so generously confided to my care, conscious that in many things I have not attained to the standard of even my own wishes, still less to the expectations of those who have so liberally supported me by their earnest and active patriotism.

I commend you to the guidance of Him who rules and governs the affairs of nations with unerring wisdom, beseeching Him that He will direct you to the adoption of such measures as will best promote the happiness and prosperity of the people.

J. GREGORY SMITH.

EXECUTIVE CHAMBER, }  
Montpelier, Oct. 12, 1865. }

On motion of Mr. Reed, the message was

*Ordered to lie, and eight hundred copies printed for the use of the Senate.*

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have adopted, on their part,

A joint resolution providing for a Joint Assembly to hear the report of the committee to canvass the votes for Governor, Lieutenant Governor and Treasurer; also

A joint resolution adopting joint rules; also

A joint resolution providing for a Legislative Directory;

In the adoption of which the concurrence of the Senate is requested.

The House have considered

A joint resolution from the Senate providing for printing a Directory,

And have adopted the same in concurrence.

The House have appointed, on their part, to canvass the votes of the freemen of the State, for Governor, Lieutenant Governor and Treasurer, the following named members:

Addison County . . . . .	Mr. Holland of Panton,
	" Parmalee of Bristol,
	" Hubbard of Whiting.
Bennington County . . . . .	" Mason of Readsboro,
	" Wheeler of Winhall,
	" Gleason of Woodford.

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Caledonia County . . . .	Mr. Humphrey of Burke,
	" Taft of Newark,
	" Bradley of Sheffield.
Chittenden County . . . .	" Brewster of Huntington,
	" Weston of Colchester,
	" Slocum of So. Burlington.
Essex County . . . . .	" Judevine of Concord,
	" Stevens of Guildhall,
	" Sims of Lemington.
Franklin County . . . . .	" Ellsworth of Berkshire,
	" Sabin of Georgia,
	" Cramton of Fairfield.
Grand Isle County . . . .	" McGowan of Grand Isle,
	" Goodsell of Isle La Motte,
	" Corbin of South Hero.
Lamoille County . . . . .	" Brigham of Morristown,
	" Potter of Belvidere,
	" Kelley of Elmore.
Orange County . . . . .	" Carpenter of Randolph,
	" Corliss of Corinth,
	" Camp of Orange.
Orleans County . . . . .	" Whittlesey of Glover,
	" Hanson of Holland,
	" Curtis of Lowell.
Rutland County . . . . .	" Crofoot of Benson,
	" Bull of Danby,
	" Johnson of Mendon.
Washington County . . .	" Graves of Duxbury,
	" Harvey of Woodbury,
	" Hathaway of Moretown.
Windham County . . . .	" Brown of Vernon,
	" Converse of Townshend,
	" Campbell of Rockingham.
Windsor County . . . . .	" Leland of Baltimore,
	" Paul of Pomfret,
	" Mosher of Sharon.

The following joint resolutions from the House of Representatives were severally read :

*Resolved by the Senate and House of Representatives,*  
That the Clerk of the House be directed to procure for the

use of members and officers of both Houses, seven hundred copies of a Legislative Directory; four hundred copies to contain the Constitutions of this State and of the United States, and the Manual of Parliamentary Practice, published in the Directory of 1864, to be bound in cloth, and three hundred copies to be bound in paper;

On motion of Mr. Reed,

*Ordered to lie.*

*Resolved by the Senate and House of Representatives,* That both Houses meet in Joint Assembly at eleven o'clock to-morrow morning, to hear the report of the committee appointed to canvass the votes for Governor, Lieutenant Governor and Treasurer;

Which was adopted in concurrence.

*Resolved by the Senate and House of Representatives,* That the joint rules of last session be adopted as the joint rules of the present session until others are adopted;

Which was adopted in concurrence.

On motion of Mr. Chapman, the Senate adjourned.

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FRIDAY, OCTOBER 13, 1865.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

In the absence of the President, the Secretary directed the Senate to the election of a President *pro tempore*.

The ballots having been taken and examined, it appeared that

WORTHINGTON C. SMITH,

a senator from the county of Franklin, had received a majority of all the votes, and he was declared elected President *pro tempore*. Thereupon the oath of office was administered to him by the Secretary, and he entered upon the duties of his office.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have, on their part, adopted

A joint resolution providing for a Joint Assembly to elect certain State officers ; also

A joint resolution providing for a committee to examine certificates of votes for county officers ; also

A joint resolution providing for a Joint Assembly to elect Judges of the Supreme Court and Reporter of the decisions thereof ;

In the adoption of which the concurrence of the Senate is requested.

The House have considered

A joint resolution from the Senate relating to joint rules ; also

A joint resolution for Joint Assembly ;

And have adopted the same in concurrence.

The hour having arrived for a meeting of the Joint Assembly, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom, on motion of Mr. Richmond, the Senate adjourned.

## AFTERNOON.

On motion of Mr. Reed, the Senate took a recess until two and one-half o'clock.

The recess having expired, the President resumed the chair.

On motion of Mr. Richmond, the Senate proceeded to the election of standing committees, as follows :

### *On Rules :*

Mr. Allen,  
" Porter,  
" Park.

### *Finance :*

Mr. Chapman,  
" Hyde,  
" Gay.

*Judiciary:*

Mr. Reed,  
" Flagg,  
" Taft.

*Claims:*

Mr. Pennock,  
" Rublee,  
" Howe.

*Education:*

Mr. Barrett,  
" Dorr,  
" Doton.

*Agriculture:*

Mr. Richmond,  
" Allen,  
" Ide.

*Manufactures:*

Mr. Clement,  
" Cochran,  
" Gay.

*Elections:*

Mr. Hobart,  
" Park,  
" Rublee.

*Military:*

Mr. Crane,  
" Henry,  
" Skinner.

*Roads:*

Mr. Hutchinson,  
" Abbott,  
" Soule.

*Banks:*

Mr. Smith,  
" Meacham,  
" Hyde.

*Land Taxes:*

Mr. Upham,  
" Meacham,  
" Hobart.

*Printing:*

Mr. Reed,  
" Abbott,  
" Howe.

*General Committee:*

Mr. Tabor,  
" Upham,  
" Porter.

Mr. Hutchinson moved that a committee of two senators be appointed to wait upon his Honor, the Lieutenant Governor elect, and inform him of his election,

Which was agreed to.

The President *pro tempore* appointed as such committee:

Senator Hutchinson,  
" Dorr.

The President *pro tempore* laid before the Senate the following communication from his Excellency, the Governor:

EXECUTIVE CHAMBER,  
Montpelier, October 13, 1865. }

*To the President of the Senate:*

SIR: I have the honor to inform the Senate that I have taken and subscribed the oaths which the Constitution prescribes for the Governor of the State; that I have appointed Charles M. Gay, of Rutland, Secretary of Civil and Military Affairs; and that I purpose to transmit the Annual Executive Message to the General Assembly at three o'clock this afternoon.

PAUL DILLINGHAM.

The committee appointed to wait on the Lieutenant Governor elect, appeared at the bar of the Senate, accompanied by his Honor, Abraham B. Gardner, who took and subscribed the oaths of office required by the Constitution, and upon taking the chair addressed the Senate as follows:

*Senators:*—I enter upon the duties which have been assigned me by the freemen of the State, under the fullest sense of the obligations which I have assumed, and of the responsibilities which justly attach to the position of Presi-

dent of the Senate. I shall endeavor to interpret your rules with strict impartiality, and, in applying the principles of parliamentary law to the many difficult and delicate questions that will arise in the course of the session, to do equal justice to all. Having no experience in this body, I can hardly expect that my utmost endeavors will meet the just measure of your expectations. I fear that you will have occasion many times to exercise forbearance; but here, where it was once said by one of great experience and ample observation in this Chamber, that a deliberate attempt had never been made to embarrass the presiding officer, may I not confidently hope that my endeavors will be seconded by the same spirit of forbearance, co-operation and assistance which hitherto has been so generously accorded to all my predecessors?

We are assembled after four years of unprecedented civil strife, surrounded by all the evidences that the land is again at peace, and as Vermont was true to herself during the great struggle in arms, true to the country, true to the great principles of civilization and civil liberty; now that the conflict is ended and it becomes our duty to aid somewhat in re-establishing the Union, and restoring the states, let us not forget that it was the highest position on the platform of human liberty and manhood's right, that was unshaken by the storm through which we have passed, and that in the future it will be found to be the only position that is founded upon a rock, and that will not be disturbed by the storm that will sweep away all those lower positions of time-serving expediency.

And now, senators, as we give our attention to the business of the session, let it be our highest ambition to do expeditiously, and do well, whatever is required of us as legislators, and thus promote the highest interest and welfare of the State.

The following joint resolutions from the House of Representatives were severally read :

*Resolved by the Senate and House of Representatives,*  
That the two Houses meet in Joint Assembly, Thursday, the 19th inst., at three o'clock in the afternoon, for the purpose of electing Judges of the Supreme Court and Reporter of the decisions of said Court, for the year ensuing ;

Which was adopted in concurrence.

*Resolved by the Senate and House of Representatives,*  
That a joint committee of one senator and three representa-

tives from each county be appointed, upon nomination of the President of the Senate and Speaker of the House of Representatives respectively, to examine the certificates of votes given in each county for judges of the county court, state's attorney, sheriff, high bailiff, judges of probate, and justices of the peace, and declare the persons so elected, and report them to the General Assembly;

Which was read adopted in concurrence.

*Resolved by the Senate and House of Representatives,* That the two Houses meet in Joint Assembly, in the Hall of the House of Representatives, on Tuesday next, at three o'clock in the afternoon, to elect a Secretary of State, Sergeant-at-Arms, Auditor of Accounts, Superintendent of the State Prison, Commissioner of the Insane, Bank Commissioner, Adjutant and Inspector General, Quartermaster General, Judge Advocate General, and three Directors of the State Prison, for the year ensuing;

On motion of Mr. Chapman,

*Ordered* to lie.

On motion of Mr. Chapman, the joint resolution from the House, providing for the election of certain State officers, was taken up.

Mr. Hyde moved to propose to the House to amend the resolution in the fourth and fifth lines by striking out the words "Tuesday next," and inserting in lieu thereof the words, *Thursday, the 26th instant.*

On motion of Mr. Reed, the resolution and amendment were

*Ordered* to lie.

A message was received from his Excellency, the Governor, by Mr. Gay, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT: I am directed by the Governor to transmit to the Senate the Annual Executive Message to the General Assembly.

The message of his Excellency, the Governor, was read by the Secretary, and is as follows:

*Gentlemen of the Senate*

*and House of Representatives:*

After the anxiety and agitation of four years of bloody war waged by the Union for the preservation of national existence, we are permitted again to meet, in the calm of peace; to discharge those duties imposed upon us by the Constitution,

and demanded by the best interests of the people we represent.

During the past year it has pleased Almighty God to grant us great and signal mercies ; for this let us join in rendering Him our humble thanksgivings, while we sincerely implore His aid and guidance in the discharge of all our official and personal duties.

#### FINANCES.

From the Treasurer's report, herewith submitted to you, it appears that the balance of cash in the treasury, September 5, 1864, was

\$424,096 56

That the receipts into the treasury from all other sources during the year to September

5, 1865, were

\$1,585,172 95

Making in all the sum of

\$2,009,269 51

That during the year there has been paid out and disbursed the sum of

1,996,772 50

Leaving in the treasury, Sept. 5, 1865,

\$12,497 01

The funded liabilities of the State, Sept. 5, 1865, amounted to \$1,650,000 00, consisting of outstanding State bonds.

The present current liabilities of the State are

\$207,575 56

The current resources, including the balance

in the treasury, Sept. 5, 1865, are

23,411 60

Making an excess of current liabilities of

\$184,163 96

The estimated expenses for the current year, are :

For interest on bonds and loans,

108,750 00

For all other State expenses,

175,000 00

Making to be provided for,

\$467,913 96

The grand list of the State is about one million of dollars, and a tax of fifty cents on the dollar will probably raise money sufficient to cover the current liabilities of the year.

We are not to forget, however, that we have a large funded debt which will be burthensome to meet, if none of it is provided for before it falls due. The close of the war, and the return of our soldiers, has very greatly diminished our current expenses, and at the same time our agricultural, and all the other industrial interests of the State, were never in a more prosperous and healthy condition ; and I feel confident that any amount of taxation, demanded by the best interests

of the State, will be met cheerfully by the people, and its payment will not be felt as burthensome.

The Treasurer estimates that a State tax of sixty-five cents, on the grand list of this year, would raise \$150,000 above the current expenditures, to be applied in purchasing in outstanding State Bonds; and that for the next six years a tax of forty cents on the dollar of the grand list, yearly, will raise a sum sufficient to meet the current expenses of the State, and leave a yearly surplus of \$150,000, to be used in buying the State Bonds as they come into market. Should this be done to that extent, in 1871 but \$750,000 of our funded debt will remain unpaid; a sum that can easily be provided for as the bonds fall due.

Our State Bonds are now selling at a discount of four or five per cent., and should gold continue to command a premium, as it will be likely to do for a considerable time yet to come, this, with the fact that the general government and most of the states are paying a higher rate of interest than is paid on our bonds, will probably depress their market value to a still lower point. If the State is in funds to go into the market as a purchaser with others, it will be able to make a positive gain on its purchases, beside stopping the accruing interest.

Connected with this subject of raising money by taxation, we are to remember that all our property, no matter by what name called, except such as is expressly exempted by positive law, should bear its equal proportion in the burthen of taxation. If our laws produce that result now, then all is well on that score; but if they fail to accomplish that end, your scrutiny should lead you to their proper amendment.

#### SALARIES AND FEES.

By our present law, the state's attorneys of the several counties are salaried officers. Compensation in this mode is made more to depend upon the population of the several counties, than on the labor done and service rendered to the State; and I submit to your judgment whether this mode has not a natural tendency to diminish watchfulness over the public interests of those officers. As far as my own personal observation extends, I am induced to believe that crime, now, is not so thoroughly ferreted out, and the criminal so certainly brought to trial, conviction and punishment, as when these officers were paid for what they did, and for nothing more. If this be the fact, our present law is defective and unwise.

## JUVENILE OFFENDERS.

Permit me, gentlemen, to call your attention to that class of the rising generation denominated juvenile offenders. This class embraces children of both sexes, and their number is very sensibly on the increase. To reform such, while they are undergoing restraint as a punishment, should be our unceasing endeavor. Very few crimes committed by this class are punished by confinement in the State Prison, and though confinement there is somewhat reformatory, yet the stigma of having been in State Prison is almost forever ineffaceable. Far the greater number of juvenile offenders are, of necessity, punished by confinement in the county jails, where they are most generally associated with old and hardened criminals, who at once devote themselves to teaching these children the art and mysteries of crime ; so that, when discharged, instead of being reformed, they are more likely to be thoroughly corrupted.

Would it not be for the true interests of the State to establish a Home, or House of Refuge, where this class could be confined, under such regulations as would be likely to minister both instruction and reform, in connection with a just and merciful punishment?

## COMMON SCHOOLS.

The report of the Secretary of the Board of Education shows, upon the whole, an encouraging state of our common schools. The efficiency and success of these schools, which are the nurseries of our coming men and women, cannot be over-estimated.

It seems that teaching in these schools is gradually passing from male to female hands, with an apparent proportional improvement in the schools. This is flattering to female teachers, but speaks poorly of the other class. I fear that the better class of male teachers leave the State for other localities, where their services command a better remuneration,—leaving the less competent and accomplished teachers to polish our home jewels.

Should not the character, learning and aptness to teach, on the part of those offering themselves for examination, be more thoroughly ascertained before they receive a certificate ; or, if this is not practicable, could not something be done, by requiring graded certificates, distinguishing between the candidate of a low class of qualifications, and the one who is a thorough scholar and apt to teach. This might serve to

stimulate those proposing to teach to greater improvement, and also aid the school committee more easily to ascertain the fitness of those offering to teach.

#### DEAF, DUMB AND BLIND.

The expense of our State pupils, deaf, dumb and blind, who are now receiving instruction at the institutions designated by law, has very much increased, so that an increase of the standing yearly appropriations for these unfortunate classes of our citizens should be made. There are now twenty-one deaf and dumb pupils at the Asylum at Hartford, Connecticut. Until the past year, the expense of each pupil yearly was \$125; but last year the price was raised to \$200, of which notice was given to the Governor of the State. He, however, believing that it would not be in accordance with the humanity of our people to withdraw any of our pupils for this cause, permitted them to remain. Their expense will exceed present appropriations for the year. I therefore recommend an appropriation to meet the deficiency, of a sum not exceeding \$1000. The New England institution for the instruction of the blind also raised their charges from \$200 to \$250 per year. I therefore submit to you the propriety of increasing the annual appropriation for the deaf and dumb to a sum not exceeding six thousand dollars; and that for the benefit of the blind to a sum not exceeding thirty-five hundred dollars.

#### SOLDIERS' NATIONAL CEMETERY AT GETTYSBURG.

In December, 1863, the committee having that matter in charge, estimated the whole expense of that cemetery, including a monument, at the sum of \$63,500, and \$25,000 of this was designed for the monument. On that estimate, the proportion of Vermont was \$1,260, which, under the appropriation of the last session, has been paid; but, immediately after those estimates were made, a great rise in the price of labor, and materials of all descriptions, took place, so that the estimate falls short of the actual expenses, by about fifty per cent. Everything connected with the cemetery is completed, except the monument. The corner stone of that was laid July 4, 1865, and the work is in an advanced state of completion. The balance of our State proportion of the whole cost is \$630, which has already been drawn for on the Executive, but its payment awaits an appropriation by the Legislature. I hope it may be promptly made, as the faith of the State is pledged for our proportion.

## MILITARY.

War has ceased ; the great rebellion, conceived in sin and brought forth in iniquity, which purposed no less than the destruction of our nationality and the death of our Union, while it made permanent and forever perpetuated the abominable institution of negro slavery as an American institution, has been overcome, conquered and beaten down ; and, in the merciful providence of an overruling God, slavery and the rebellion came to an end together. They both died at the same time, and we may well hope that neither will ever have a resurrection. In their place, Freedom and Peace are assuming their benign and rightful sway. Our prayer may well be, that of their dominion there shall be no end.

The Adjutant and Inspector General's very valuable report will fully advise you as to the number of men furnished by the State for the late war, and to what extent they have been discharged and mustered out. It also gives you the needed information as to what has been done in arming, uniforming and organizing the militia of the State, during the past year.

During the war since 1861, it appears that Vermont has furnished thirty-four thousand five hundred and fifty-five men ; thirty thousand seven hundred and fifty-five of these were volunteers, and three thousand eight hundred were drafted men, and substitutes furnished. From this it will be seen that, during the war, about one-ninth of our entire population served as soldiers. This is a bright and glorious record for Vermont. And such soldiers, too ! bravest among the brave ; none better ever adorned the history of any state or nation. We owe to these noble men, living or dead, an imperishable debt of gratitude, love and honor. This debt should be recognized by such marks of respect and justice as legislation only can furnish.

Since the war closed, our troops have been mustered out from time to time, till, on the first of October, 1865, we had in service only the Seventh Regiment, numbering five hundred and eighty-two men ; and four companies of the Ninth Regiment, numbering three hundred and eighty-eight men ; total nine hundred and seventy.

Since that date an order has been issued for mustering out the four companies of the Ninth Regiment, and I am informed, that it is the purpose of the War Department to muster out the Seventh Regiment during the present fall or

coming winter. When this is done, our State expenses for pay to soldiers and aid to their families will entirely cease.

If other subjects come to my notice during the session, demanding your action, I shall communicate them to you without delay. I am not unaware, gentlemen, that the whole field of legislation is open to you, and that your own experience and vigilance will doubtless lead you to all proper legislation, while your prudence will prevent all that is unnecessary.

#### OUR STATE.

The fundamental law of our State declares, "that all men are born equally free and independent, and have certain natural, inherent and inalienable rights, among which are the enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety." Our motto is "FREEDOM AND UNITY." Our laws and institutions are all based on the principles so early avowed. In the face of the law, we are all equal, at the ballot box, in our courts of justice, and in all our institutions of learning, our rights are the same, no matter what is our color, or what our race. On this basis of equality we have lived and prospered. From its effects we have not felt or feared social degradation. Our people are intelligent, frugal, industrious, enterprising, prosperous and happy, and we cannot but hope that that equality, which has so blessed us, may yet, and speedily, become the primary law of every state in our Union.

I close this communication by the expression of an earnest hope, that you, gentlemen, in all your deliberations, may be guided by an earnest desire so to legislate that your labors shall tend to increase the material interests of the people, and add lustre and honor to our beloved State. May the blessing of God rest upon your labors, and crown them with happy results.

PAUL DILLINGHAM.

EXECUTIVE CHAMBER, }  
Montpelier, Oct. 13, 1865. }

On motion of Mr. Hutchinson, the message was  
Ordered to lie, and eight hundred copies printed for the  
use of the Senate.

On motion of Mr. Flagg, the Senate adjourned.

SATURDAY, OCTOBER 14, 1865.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

The oath to support the Constitution of the United States was administered to the senators by the President.

The oath to support the Constitution of the United States was then administered to the Lieutenant Governor by the Secretary.

Mr. Hyde introduced a bill entitled

S. 1. An act to incorporate the Castleton Hotel Company;

Which was read the first and second time, and referred to the General Committee.

Mr. Dorr offered the following resolution, which was read and adopted:

*Resolved*, That so much of the Governor's message as relates to finances, expenses of deaf, dumb and blind, and the Gettysburg Soldiers' National Cemetery, be referred to the Finance Committee. So much thereof as relates to salaries and fees of state's attorneys, to the Judiciary Committee. So much thereof as relates to common schools, to the Committee on Education. So much as relates to the militia of the State, to the Committee on Military Affairs. So much as relates to juvenile offenders, to a select committee of three.

The President announced the appointment of the joint standing committees as follows:

*On Joint Rules:*

Senator Pennock,

" Taft.

*On the Library:*

Senator Barrett,

" Smith.

*Under Fourth Joint Rule:*

Senator Skinner,

" Cochran,

" Doton.

*On Bills:*

Senator Dorr,  
" Porter.

Mr. Taft introduced a bill entitled  
S. 2. An act relating to offenses against private property :  
Which was read the first and second time, and referred to  
the Committee on Printing.  
On motion of Mr. Barrett, the Senate adjourned.

AFTERNOON.

Mr. Reed, for the Committee on Printing to whom was  
referred Senate bill entitled  
S. 2. An act relating to offenses against private property ;  
Reported the same, and recommended the printing of three  
hundred and fifty copies ; thereupon said bill was  
*Ordered* to lie and be printed.  
On motion of Mr. Skinner, the Senate adjourned.

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MONDAY, OCTOBER 16, 1865.

Prayer by the Chaplain.

Journal of Saturday was read and approved.

The President announced as the committee, on the part of  
the Senate, to canvass the votes for county officers :

Addison County . . . . .	Mr. Meacham,
Bennington County . . . . .	" Park,
Caledonia County . . . . .	" Abbott,
Chittenden County . . . . .	" Hobart,
Essex County . . . . .	" Tabor,
Franklin County . . . . .	" Soule,
Grand Isle County . . . . .	" Allen,

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Lamoille County . . . . .	Mr. Pennock,
Orange County . . . . .	" Hutchinson,
Orleans County . . . . .	" Richmond,
Rutland County . . . . .	" Howe,
Washington County . . . . .	" Henry,
Windham County . . . . .	" Flagg,
Windsor County . . . . .	" Gay.

The President appointed as a special committee on ~~so~~ much of the Governor's message as relates to juvenile offenders,

Mr. Dorr of Rutland,  
 " Reed of Washington,  
 " Smith of Franklin.

On motion of Mr. Upham, the Senate adjourned.

## AFTERNOON.

Mr. Allen, for the Committee on Rules, made the following report :

*To the Honorable Senate now in session :*

The Committee on Rules report that they have had the subject under consideration, and recommend the adoption of the following

## RULES OF THE SENATE.

### 1.

The credentials of senators shall be presented to the Secretary or Assistant Secretary previous to ten o'clock on the morning of the second Thursday of October, at which time the Senate shall be called to order. The names of the senators shall be called over, and when a quorum shall have taken their seats, they shall take the following oath, viz :—  
 "I, \_\_\_\_\_, a senator for the county of \_\_\_\_\_, in the State of Vermont, October Session, 18—, do solemnly swear that I will be true and faithful to the State of Vermont, and that I will not, directly or indirectly, do any act or thing injurious to the Constitution or government thereof, as established by convention. So help me God. And I also solemnly swear that as a member of this Senate I will not propose

or assent to any bill, vote, or resolution, which shall appear to me injurious to the people, nor do or consent to any act or thing whatever, that shall have a tendency to lessen or abridge their rights and privileges, as declared by the Constitution of this State; but will in all things conduct myself as a faithful, honest representative and guardian of the people, according to the best of my judgment and abilities. So help me God." Whereupon they shall, on nomination of the President, appoint a canvassing committee, consisting of one senator from each county, to join such committee as the House of Representatives may appoint, whose duty shall be to receive, sort and count the votes for Governor, Lieutenant Governor and Treasurer, and make report thereof to the joint assembly of both Houses.

2.

The Senate shall meet every day (Sundays excepted,) at ten o'clock in the morning, and two o'clock in the afternoon, unless otherwise specially ordered.

3.

The President having taken the chair, and a quorum being present, the journal of the preceding day shall be read, and all the errors therein corrected.

4.

In case no quorum shall assemble within fifteen minutes after the time to which the Senate was adjourned, those present shall have the power to send the Sergeant-at-Arms, or other officer, after the absentees, and compel their attendance.

5.

Whenever the Senate shall assemble, according to adjournment, or at the commencement of a session, and the President shall be absent, it shall be the duty of the Secretary, if present, if not, of a senator, to call to order; and the senators present, if a quorum, shall by ballot elect a President *pro tempore*.

6.

No senator shall be absent without leave, unless he is sick or otherwise necessarily detained.

7.

No senator shall audibly speak to another, or otherwise interrupt the business of the Senate, while the journal or

other public papers are being read, or while a senator is orderly speaking in debate.

8.

Every senator, when he speaks, shall, standing in his place, address the President, and when he has finished, shall sit down.

9.

No member shall speak more than twice on the same question without leave of the Senate; and senators who have once spoken shall not again be entitled to the floor, (except for the purpose of explanation,) to the exclusion of another who has not spoken.

10.

In all cases, the senator first rising and addressing the President, (subject to the restriction of rule 9,) shall be entitled to the floor, and when two or more arise at the same time, the President shall name the one who is to speak.

11.

When a senator shall be called to order he shall sit down; and every question of order shall be decided by the President without debate, subject to an appeal to the Senate.

12.

If a senator be called to order for words spoken, the exceptionable words shall be immediately taken down in writing by the senator calling to order, that the President may be better enabled to judge of the matter.

13.

The first hour of each morning's sitting may be devoted to the reception and disposal of petitions, memorials and remonstrances, motions, resolutions, and the introduction of bills; after which the orders of the day, or other proper business, shall be announced, always commencing with the unfinished business of the last sitting. The first hour of the afternoon's sitting may be occupied in receiving and disposing of reports of committees, and in completing the business of the morning hour; at the expiration of which, the Senate will again take up the orders of the day.

14.

Reports of committees may be signed by any member in behalf of the committee, and shall be by him presented to

the Senate, when the call for reports is made. The signer of each report shall be held responsible for the accuracy of its statements and the propriety of its language, and when the same shall be under consideration, he shall be further liable to give additional statements of facts or other explanations in answer to the call of any senator.

## 15.

The proceedings of the Senate, except when acting as in Committee of the Whole, embracing the titles of bills and such parts thereof as may be affected by proposed amendments, and also, the names of senators, and the votes which they give on every question decided by yeas and nays, shall be by the Secretary accurately and concisely inserted in the journal.

## 16.

The Senate shall annually, within the first four days of actual sitting, elect, by ballot, a Secretary and an Assistant Secretary, who shall be severally sworn to the faithful discharge of their duties, and shall hold their offices until superseded by a new election. The Assistant Secretary shall be, *ex-officio*, engrossing clerk.

## 17.

At each annual session, the Senate shall appoint the following committees, to consist of three members each, to wit:

- A Committee on Rules.
- A Committee on Finance.
- A Committee on the Judiciary.
- A Committee on Claims.
- A Committee on Education.
- A Committee on Agriculture.
- A Committee on Manufactures.
- A Committee on Elections.
- A Committee on Military Affairs.
- A Committee on Roads.
- A Committee on Banks.
- A Committee on Land Taxes.
- A Committee on Printing.
- A General Committee.

All select committees shall be appointed by the President, unless otherwise ordered by the Senate.

## 18.

All bills after the second reading, and all petitions, me-

memorials, remonstrances, resolutions, and other papers, calling for legislative action, (except such as have been reported by a committee,) no objection being made, shall be referred by the President to appropriate committees.

## 19.

Before any resolution, any petition, or other paper, addressed to the Senate, shall be received and read, whether the same shall be introduced by the President or a senator, the title shall be fairly endorsed thereon, and a brief statement of its objects or contents shall be made by the introducer.

## 20.

Every motion shall be reduced to writing by the mover, if required thereto by the President or a senator; and a motion to lay another motion, the latter not being in writing, on the table, or otherwise to dispose of it, shall not be in order.

## 21.

Every bill shall receive three readings before it is passed; the President shall give notice at each reading whether it be the first, second, or third; the last of which reading of public bills shall be at least twenty-four hours after the first reading, unless the Senate unanimously direct otherwise: provided that bills may be read the second time by their title. Resolutions requiring the approbation and signature of the Governor shall be treated in all respects as bills; and the third reading of all bills of a public nature shall be ordered for some particular day.

## 22.

On motion of a senator, public bills, after the second reading, may be referred to a committee of the whole.

## 23.

Every bill originating in the Senate shall, before it is read the third time, be fairly engrossed. No amendment shall be received at the third reading, but it may be committed for amendment at any time before its final passage.

## 24.

Motions on bills and resolutions shall be sustained in the following order: 1. To postpone indefinitely. 2. To lay upon the table. 3. To commit. 4. To amend.

## 25.

A call for the previous question shall not at any time be

in order. A motion to adjourn shall always be in order, and shall be decided without debate.

26.

If the question in debate contains several points, the same may be divided on the demand of a senator. A motion to strike out and insert shall not be divided, but the rejection of a motion to strike out and insert one proposition shall not preclude a motion to strike out and insert a different one, or a motion simply to strike out; nor shall the rejection of a motion simply to strike out, prevent a subsequent one to strike out and insert.

27.

In filling blanks the largest sum and the longest time shall be first in order.

28.

When the reading of a paper is called for, and the same is objected to by a senator, the question shall be determined by a vote of the Senate.

29.

The yeas and nays shall be taken on the call of a senator, and every senator present shall vote, unless excused by the Senate; but no senator shall be compelled to vote who was absent when the question was stated by the President, nor shall any one be permitted to vote who was absent when his name was called, nor after the decision of the question has been announced from the chair.

30.

No senator in the minority, nor one who did not vote on the decision of a question, shall have a right to move a reconsideration thereof; nor shall any motion for reconsideration be in order unless made before the close of the next day of actual sitting of the Senate, after that in which the vote was taken, and before the bill, resolution, report, amendment, address or motion, upon which the vote was taken, shall, in the regular progress of business, have gone out of the possession of the Senate.

31.

On all questions, in the decision of which a simple majority is required, when the Senate is equally divided, the Secretary shall take the casting vote of the President. In all such cases, a motion for reconsideration, if made in time, shall be in order from any senator who voted on the question.

## 32.

The President shall have the right to call upon any senator to discharge the duties of the Chair, whenever he shall find it necessary temporarily to retire ; but such substitution shall not extend beyond more than one adjournment.

## 33.

The Senate having taken the final vote on any question, the same shall not again be in order during the same session, in any form whatever, except by way of reconsideration ; and when a motion for reconsideration has been decided, that decision shall not be reconsidered.

## 34.

No proposition to amend the rules of the Senate, or the joint rules of both Houses, shall be acted on until the same shall have been before the Senate at least twenty-four hours ; and no rule of the Senate shall be suspended except by the vote of three-fourths of the members present.

## 35.

Messages shall be sent to the House of Representatives by the Secretary or Assistant Secretary.

## 36.

Reporters may be placed on the floor of the Senate, under the direction of the Secretary, with the approbation of the President.

## 37.

No person shall be admitted within the lobby of the Senate Chamber, except the Governor, Treasurer of the State, Auditor of Accounts, members of the other House, Judges of the Supreme Court, Circuit Judges, Senators and Representatives in Congress, Ex-Governors and Lieut. Governors, Ex-Judges of the Supreme Court, Ex-Senators of the State Senate, District Judge and Attorney of the United States, members of other State Legislatures, Clerk and Assistant Clerk of the House of Representatives, and the Secretary of Civil and Military Affairs, and such ladies and gentlemen as the President or a Senator may introduce.

## 38.

When in session the senators shall sit with their heads uncovered.

39.

Upon any disorderly conduct in the gallery, the President may order the same to be cleared.

40.

Whenever a bill or resolution is laid on the table, by order of the Senate, and shall have remained on the table twenty-four hours, it shall be subject to be taken up by the Chair, and presented for the consideration of the Senate, without a call or order on the subject.

41.

There shall be one Door-Keeper and one Assistant Door-Keeper of the Senate; and the Secretary may appoint two boys to attend in the Senate Chamber.

42.

## CHOICE OF SEATS.

At nine o'clock on the morning of the first day of the session, and before the Senate shall be called to order, the Secretary shall place in a box, prepared for the purpose, fourteen ballots, designating by name the several counties in the State, and shall proceed to draw therefrom, impartially, one ballot at a time until all are drawn. And as each ballot is drawn, the senator or senators, from the county designated by such ballot, shall, personally, if present, or may, by proxy, if absent, select his, or their seat or seats. If any senator or senators, from any county so drawn, should not be present, either personally or by proxy, at the time of such drawing, the county next drawn shall have preference.

Respectfully submitted.

ASAHEL ALLEN, for Committee.

Thereupon they were adopted as the Rules of the Senate.

Mr. Taft introduced a bill entitled

S. 3. An act to incorporate the home for destitute children at Burlington;

Which was read the first and second time, and referred to the Committee on the Judiciary.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have appointed, as a committee on their part, to

canvass the votes for county officers, judges of probate, and justices of the peace :

Addison County . . . . .	Mr. Barker of Leicester, " Purinton of Lincoln, " Benton of Waltham.
Bennington County . . . . .	" Shuffleton of Sunderland, " Woodward of Landgrove, " Batchelder of Peru.
Caledonia County . . . . .	" Coffrin of Groton, " Woodman of Wheelock, " Sanborn of Peacham.
Chittenden County . . . . .	" Stone of Westford, " Weston of Essex, " Isham of St. George.
Essex County . . . . .	" Ford of Granby, " Stevens of Maidstone, " Fitts of Brunswick.
Franklin County . . . . .	" Draper of Sheldon, " Smith of Richford, " Robie of Franklin.
Grand Isle County . . . . .	" McGowan of Grand Isle, " Corbin of South Hero, " Mott of Alburgh.
Lamoille County . . . . .	" Parker of Wolcott, " Belding of Johnson, " Brown of Eden.
Orange County . . . . .	" Spear of Braintree, " Kimball of West Fairlee, " Sherwin of Topsham.
Orleans County . . . . .	" Moore of Albany, " Boynton of Coventry, " Cheney of Westmore.
Rutland County . . . . .	" Hamilton of Fairhaven, " Winslow of Chittenden, " Mason of Ira.
Washington County . . . . .	" Shepard of E. Montpelier, " Cardell of Warren, " Phelps of Waitsfield.

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Windham County . . . .	Mr. Hunt of Guildford,
	" Whitney of Marlboro,
	" Davis of Londonderry.
Windsor County . . . . .	" Luce of Barnard,
	" Wood of Bridgewater,
	" Fletcher of Reading.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have appointed, on their part, joint standing committees as follows:

*Under Fourth Joint Rule:*

Mr. Hutchinson of Enosburgh,  
 " Root of Craftsbury,  
 " Taft of Newark.

*On Bills:*

Mr. Pratt of Woodstock,  
 " Phillips of Castleton.

*On Joint Rules:*

Mr. Waite of Brattleboro,  
 " Hopkins of Vergennes.

*On the Library:*

Mr. Hebard of Chelsea,  
 " Hunsdon of Shoreham,  
 " Joslyn of Brownington.

On motion of Mr. Upham, the Senate adjourned.

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TUESDAY, OCTOBER 17, 1865.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Reed introduced the following joint resolution:

*Resolved by the Senate and House of Representatives,*  
 That the Hall of the House of Representatives be granted

to the Vermont Historical Society for the delivering of their annual address, this (Tuesday) evening ;

Which was read and adopted on the part of the Senate.

Mr. Tabor introduced a bill entitled

S. 4. An act to incorporate the West Concord Manufacturing Company ;

Which was read the first and second time, and referred to the General Committee.

On motion of Mr. Flagg, a joint resolution from the House of Representatives, providing for a Joint Assembly to elect certain State officers,

Was taken up ; and the proposal of amendment submitted by Mr. Hyde, was not agreed to.

Mr. Flagg moved to propose to the House to amend by inserting after the words "Bank Commissioner" the words *Railroad Commissioner* ;

Which was agreed to.

Mr. Hyde moved to propose to the House to amend by striking out the word "Tuesday," and inserting in lieu thereof the word *Wednesday* ;

Which was agreed to ; and the resolution was adopted in concurrence, with proposals of amendment.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate, that the House have considered the joint resolution from the Senate granting the use of the Representatives' Hall to the Vermont Historical Society,

And have adopted the same in concurrence.

Senate bill entitled

S. 2. An act relating to offenses against private property ;

Having been printed, was taken up and referred to the Committee on the Judiciary.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered the Senate proposals of amendment to the joint resolution from the House, providing for a Joint Assembly to elect certain State officers,

And have adopted the same in concurrence.

On motion of Mr. Rublee, the Senate adjourned.

## AFTERNOON.

Mr. Tabor, for the General Committee to whom was referred bills entitled

S. 1. An act to incorporate the Castleton Hotel Company ;

S. 4. An act to incorporate the West Concord Manufacturing Company ;

Reported in favor of their passage ; and the bills were  
*Ordered* to be engrossed and read the third time.

Mr. Pennock, for the the Committee on Joint Rules, submitted the following report :

*To the Honorable Senate now in session :*

The Committee on Joint Rules respectfully recommend the adoption of the following as the joint rules of the two Houses during the present session.

S. M. PENNOCK, for Committee.

Which was read, and the report was accepted, and the rules therein reported were adopted on the part of the Senate, and are as follows :

## JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.

## 1.

A Joint Assembly shall be formed by a union of the Senate and House of Representatives in the Hall of the latter, at such time and for such specific purpose only, as may be expressed in a concurrent resolution of both Houses ; and may adjourn from time to time during the session of the General Assembly. The President of the Senate shall in all cases preside over, and the Secretary of State, or in his absence, the Secretary of the Senate, shall officiate as clerk of every Joint Assembly.

## 2.

The proceedings of every Joint Assembly, including the resolution ordering the same, shall be recorded by the Clerk in a book kept for that purpose, which shall be preserved in the office of the Secretary of State, a copy of which shall be

furnished to the Governor by the Secretary of State, and shall also be published with the Journal of the proceedings of the House of Representatives.

3.

The rules of the Senate, as far as applicable, shall be observed in regulating the proceedings of every Joint Assembly.

4.

A joint committee of three senators and three representatives shall be appointed by the presiding officers of the two Houses respectively, to whom may be referred all documents transmitted by the Governor for the use of the General Assembly, who shall report thereon to that House from which they were received.

5.

The committees of the Senate and House of Representatives, to whom the same subject matter shall have been referred, may, for the purpose of facilitating business, meet together as a joint committee, and make a joint or separate report to either or both Houses, as they may think expedient.

6.

In every case of disagreement between the Senate and House of Representatives, if either shall request a conference and appoint a committee for that purpose, and the other House shall also appoint a committee on its part, such committee shall meet at a convenient hour, to be agreed upon by their chairman, in the conference room, and state to each other verbally, or in writing, the reasons of each House for its vote on the subject matter of disagreement, confer freely thereon, and make a report of their doings to their respective Houses as soon as may be.

7.

Committees of conference shall consist of an equal number from each House, and shall return the papers referred to them to that House which last voted upon the subject matter to disagreement.

8.

After each House shall have adhered to the vote of disagreement, a bill or resolution shall be lost.

9.

When bills and resolutions are on their passage between the two Houses, they shall be verified by the attestation of

the Secretary or Clerk of each House respectively, and all joint resolutions shall be fairly engrossed, after their passage, in the House in which they originate, and shall, when finally passed, be signed by the presiding officer of both Houses in the same manner as bills.

## 10.

After bills have passed both Houses, and a certificate showing the one in which they respectively originated has been duly endorsed thereon, they shall be delivered to a joint standing committee of two senators and two members of the House of Representatives, to be appointed by the presiding officers of the two Houses respectively, and to be designated the *Committee on Bills*, who shall make careful examination and see that they are correctly engrossed, both as regards the original bill, and all amendments thereto, and when satisfied of their accuracy, shall present them first to the Speaker of the House of Representatives, and then to the President of the Senate, for their official signatures, and having obtained them, they shall forthwith deliver them to the Governor for his approval, and shall make a true report to both Houses of the day on which such bill was delivered to the Governor, which shall be duly entered upon the journal of each House.

## 11.

A joint committee of two senators and two representatives shall be appointed by the presiding officers of the two Houses respectively, at the commencement of the session, to be designated the *Committee on Joint Rules*.

## 12.

When a bill or resolution, which shall have passed one House, is rejected in the other, notice thereof shall be given to the House in which the same shall have passed; and all such rejected bills or resolutions, with the accompanying papers, shall be returned to, and left in, the custody of the House which first acted on them.

## 13.

Each House shall transmit to the other all papers on which any bill or resolution shall be founded; and should any bill or resolution pass both Houses, the same papers shall be delivered to the Governor.

## 14.

No bill, which shall have passed one House, shall be sent for concurrence to the other, on the last day of the session.

15.

The final adjournment of the General Assembly shall be fixed at an hour between six o'clock, A. M., and nine o'clock P. M.

16.

A two-thirds vote of all present shall be required for the suspension of any joint rule.

17.

A Joint Committee on the Library, consisting of two senators and three representatives, shall, on nomination of the presiding officers of their respective Houses, be appointed by each House respectively.

The President laid before the Senate a communication from his Excellency, the Governor, as follows :

EXECUTIVE CHAMBER,  
Montpelier, October 16, 1865. }

*To the President of the Senate :*

SIR : Herewith I transmit a copy of the Ninth Annual Report of the Vermont Board of Education, and am requested by the Secretary of the Board, to say that copies of the report are now ready for distribution.

PAUL DILLINGHAM.

The Annual Report of the Board of Education was taken up, and referred to the Committee under the Fourth Joint Rule.

On motion of Mr. Tabor, the Senate adjourned.

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WEDNESDAY, OCTOBER 18, 1865.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Flagg introduced a bill entitled

S. 5. An act to incorporate the Wilmington Cornet Band;

Which was read the first and second time, and referred to the General Committee.

Mr. Chapman introduced a bill entitled

S. 6. An act repealing an act creating and establishing the office of Railroad Commissioner ;

Which was read the first and second time, and referred to the Committee on Printing.

Engrossed bills entitled

S. 1. An act to incorporate the Castleton Hotel Company ;

S. 4. An act to incorporate the West Concord Manufacturing Company ;

Were severally read the third time and passed.

Mr. Crane introduced a bill entitled

S. 7. An act for the support of the poor in the unorganized towns and gores in this State ;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Abbott, from the Committee on Printing to whom was referred Senate bill entitled

S. 6. An act repealing an act creating and establishing the office of Railroad Commissioner ;

Reported adversely to the printing of the same ; and thereupon it was referred to the Committee on Roads.

Mr. Reed introduced a bill entitled

S. 8. An act in relation to the rate of interest ;

Which was read the first and second time, and referred to the Committee on Printing.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed by the House to inform the Senate, that the House have, on their part, adopted the Joint Rules reported by the Joint Committee for that purpose ; the House have adopted on their part a joint resolution ;

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House of Representatives :

*Resolved, the Senate concurring,* That the use of the Representatives' Hall, on the evening of the 24th inst., be granted to the Board of Education, for the purpose of hearing J. S. Adams, their Secretary, in the discussion of the alter-

ations of the law of the State, recommended in their annual report, and the general educational interests of the State ;

Which was read and adopted in concurrence.

Mr. Reed, from the Committee on Printing to whom was referred bills entitled

S. 7. An act for the support of the poor in the unorganized towns and gores in this State ;

S. 8. An act in relation to the rate of interest ;

Reported the same, recommending the printing of three hundred and fifty copies of each of said bills ; whereupon the bills were

*Ordered* to lie and be printed.

On motion of Mr. Taft, the Senate adjourned.

#### AFTERNOON.

On motion of Mr. Flagg, the Senate took a recess of thirty minutes. At the expiration of the recess the President resumed the chair.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate, that the House have adopted, on their part, a joint resolution granting the use of the Representatives' Hall to the Vermont Medical Society ;

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House of Representatives :

*Resolved by the Senate and House of Representatives,*  
That the use of the Representatives' Hall be granted to the Vermont Medical Society, this (Wednesday) afternoon, immediately after the adjournment of the House, for the purpose of hearing the annual address of the president of the society ;  
Which was read and adopted in concurrence.

Mr. Reed, from the Committee on the Judiciary to whom was referred a bill entitled

S. 2. An act relating to offenses against private property ;

Reported the same, recommending that the bill be amended by striking out the words, "whoever by a trespass, with in-

tent to steal, takes and carries," and inserting in lieu thereof the words, *every person who by a trespass, with intent to steal, shall take and carry*;

Which was agreed to; and the bill was

*Ordered* to be engrossed and read the third time to-morrow afternoon.

Mr. Flagg, from the Committee on the Judiciary to whom was referred a bill entitled

S. 3. An act to incorporate the home for destitute children at Burlington;

Reported in favor of its passage; thereupon said bill was

*Ordered* to be engrossed, and read the third time.

Mr. Hutchinson, from the Committee on Roads to whom was referred a bill entitled

S. 6. An act repealing an act creating and establishing the office of Railroad Commissioner;

Reported adversely to its passage; and, on motion of Mr. Chapman, the bill was

*Ordered* to lie.

The hour having arrived for a Joint Assembly, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom, on motion of Mr. Crane, the Senate adjourned.

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THURSDAY, OCTOBER 19, 1865.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr. Chapman introduced a bill entitled

S. 9. An act in amendment of section forty-two of chapter one hundred and twenty-six of the General Statutes, in relation to the fees of town clerks;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Abbott introduced a bill entitled

S. 10. An act to incorporate the Caledonia Woollen Manufacturing Company ;

Which was read the first and second time, and referred to the Committee on Manufactures.

On motion of Mr. Reed, the order for the engrossment and third reading of a bill entitled

S. 3. An act to incorporate the home for destitute children at Burlington ;

Was reconsidered ; and Mr. Reed moved to amend by adding the following proviso to section eight : *Provided, that the provisions of this act shall not be construed so as to create said corporation the guardian of the property of any such child ;*

Which was agreed to ; and, on motion of Mr. Chapman, said bill was

*Ordered* to lie and three hundred copies be printed.

Mr. Cushman introduced the following joint resolution, which was read, and adopted on the part of the Senate.

*Resolved, the House of Representatives concurring,* That the use of the Representatives' Hall be granted, on the evening of November 1st, to Rev. A. W. Eastman, to deliver a lecture on the subject of missionary work among the freedmen in the states where slavery has existed.

Mr. Pennock introduced a bill entitled

S. 11. An act to incorporate the Mount Mansfield Railroad Company ;

Which was read the first and second time, and referred to the Committee on Roads.

Mr. Tabor, from the General Committee to whom was referred a bill entitled

S. 5. An act to incorporate the Wilmington Cornet Band ;

Reported the same, recommending that the bill be amended by adding the following words to section four : *And if at any time the indebtedness of the corporation shall exceed the amount aforesaid, the directors and stockholders of said corporation shall be personally liable for such excess to the creditors of said corporation ;*

Which was agreed to ; and the bill as amended was

*Ordered* to be engrossed, and read the third time.

Mr. Richmond introduced a bill entitled

S. 12. An act determining the liabilities of persons erecting fences within the limits of the highway ;

Which was read the first and second time, and referred to the Committee on Printing.

Bills entitled

S. 7. An act for the support of the poor in the unorganized towns and gores in this State ;

S. 8. An act in relation to the rate of interest ;

Having been printed, were taken up and referred to the Committee on the Judiciary.

Mr. Flagg introduced the following resolution :

*Resolved*, That when the Senate adjourn on Friday afternoon next, it adjourn to two o'clock on the afternoon of Monday next ;

Which was read and adopted.

On motion of Mr. Hobart, the Senate adjourned.

# AFTERNOON.

Engrossed bill entitled

S. 2. An act relating to offenses against private property ;  
Was read the third time and passed.

Mr. Smith introduced a bill entitled

S. 13. An act to confirm certain decrees of the court of chancery ;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Crane introduced a bill entitled

S. 14. An act in relation to the weights and marks on casks and packages containing butter ;

Which was read the first and second time, and referred to the Committee on Printing.

A bill entitled

S. 6. An act repealing an act creating and establishing the office of Railroad Commissioner ;

Was taken up ; and the question being, Shall the bill be engrossed and read the third time ? it was decided in the negative.

On motion of Mr. Reed, the vote refusing the engrossment and third reading of

S. 6. An act repealing an act creating and establishing the office of Railroad Commissioner ;

Was reconsidered ; and, on motion of Mr. Chapman, said bill was

*Ordered to lie.*

Mr. Hobart introduced a bill entitled

S. 15. An act to repeal an act for organizing the militia, approved November 22, 1864 ;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Skinner, from the Committee under the Fourth Joint Rule, presented the following report, which was read and adopted :

*To the Honorable Senate now in session :*

The Committee to whom was referred the Ninth Annual Report of the Vermont Board of Education, and the Report of the Secretary of said Board, respectfully ask leave to report that they have had the same under consideration, and recommend that so much of said reports as relate to modifications of law as proposed by the Secretary, be referred to the Committee on Education.

J. F. SKINNER, for Committee.

Mr. Reed, from the Committee on Printing to whom were referred bills entitled

S. 9. An act in amendment of section forty-two of chapter one hundred and twenty-six of the General Statutes, in relation to fees of town clerks ;

S. 12. An act determining the liabilities of persons erecting fences within the limits of the highway ;

S. 13. An act to confirm certain decrees of the court of chancery ;

S. 14. An act in relation to the weights and marks on casks and packages containing butter ;

S. 15. An act repealing an act organizing the militia, approved November 22, 1864 ;

Reported the same, recommending the printing of three hundred and fifty copies of each of said bills ; thereupon they were severally

*Ordered to lie, and be printed.*

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered a joint resolution from the Senate

granting the use of the Representatives' Hall to Rev. A. W. Eastman,

And have adopted the same in concurrence.

The hour having arrived for a meeting of the Joint Assembly, the Senate repaired to the Hall of the House of Representatives, and having returned therefrom,

On motion of Mr. Chapman, the Senate adjourned.

## FRIDAY, OCTOBER 20, 1865.

Prayer by Rev. J. K. Converse of Burlington.

Journal of yesterday was read and approved.

A message was received from his Excellency, the Governor, by Mr. Gay, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor to deliver to the Senate a communication in writing, with an accompanying document.

The President laid before the Senate the following communication from his Excellency, the Governor :

EXECUTIVE CHAMBER,  
Montpelier, October 20, 1865. }

*To the President of the Senate :*

SIR : I have the honor to transmit herewith a report of the trustees of the Vermont Agricultural College.

PAUL DILLINGHAM.

(See Appendix.)

On motion of Mr. Dorr, the report of the trustees of the Vermont Agricultural College was

*Ordered* to lie, and one thousand copies be printed for the use of the General Assembly.

Mr. Dorr introduced a bill entitled

S. 16. An act to incorporate the Farmingdale Marble Company ;

Which was read the first and second time, and referred to the Committee on Manufactures.

Mr. Hutchinson, from the Committee on Roads to whom was referred a bill entitled

S. 11. An act to incorporate the Mount Mansfield Railroad Company ;

Reported the same, recommending that the bill be amended by adding at the end of section six the words : *But shall be under the control of the Legislature, to alter, amend or repeal, as the public good may require ;*

Which was agreed to ; and the bill as amended was Ordered to be engrossed and read the third time.

On motion of Mr. Allen, the Senate adjourned.

#### AFTERNOON.

Mr. Smith, President *pro tempore*, in the chair.

There being no quorum present, on motion of Mr. Reed, the Senate adjourned.

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#### MONDAY AFTERNOON, OCTOBER 23, 1865.

The Senate was called to order by Senator Reed, and after waiting fifteen minutes, there being no quorum present, he declared the Senate adjourned.

TUESDAY, OCTOBER 24, 1865.

Prayer by the Chaplain.

In the absence of the President and President *pro tempore*, the Secretary directed the Senate to the election of a President *pro tempore*.

The ballots having been taken and examined, it appeared that

SENECA M. DORR,

a senator from the county of Rutland, had received a majority of all the votes cast; and he was declared elected President *pro tempore*. Thereupon the oath of office was administered to him by the Secretary, and he entered upon the duties of the office.

The journals of Friday and Monday were read and approved.

A message was received from the House of Representatives, by Mr. Clarke, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have adopted, on their part,

A joint resolution relating to the restoration of sea-fish to the Connecticut River and its tributaries; also

A joint resolution providing for a Committee of Inquiry;

In the adoption of which the concurrence of the Senate is requested.

Mr. Reed introduced the following joint resolution, which was read, and adopted on the part of the Senate:

*Resolved by the Senate and House of Representatives,*  
That the bound Directories of the General Assembly, for 1865, shall be distributed as follows:

To the Clerk of the House, for the use of the House and its officers, two hundred and fifty-five copies; to the Secretary of the Senate, for the use of the Senate and its officers, forty-five copies; to the State Library, ninety copies; to the Adjutant General, four copies; to the Treasurer of the State, to the Auditor of Accounts, and Secretary of State, each two copies. And the unbound copies of said Directory shall be distributed as follows: To the Clerk of the House, for the use of the House and its officers, two hundred and forty-five

copies ; to the Secretary of the Senate, for the use of the Senate and its officers, thirty-five copies ; to the State Library, ten copies ; to the Sergeant-at-Arms, ten copies.

Mr. Reed introduced a bill entitled

S. 17. An act for establishing town libraries ;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Taft introduced a bill entitled

S. 18. An act to amend an act entitled An act to incorporate the city of Burlington, approved November, 22, 1864 ;

Which was read the first and second time and referred to the General Committee.

A joint resolution from the House :

*Resolved by the Senate and House of Representatives,* That a committee of one senator and two representatives be appointed by their respective Houses, whose duty it shall be to inquire and ascertain the reason why the requirements of section sixty-eight of chapter eight of the General Statutes are not complied with, and make report to their respective Houses ;

Which was read and adopted in concurrence.

A joint resolution from the House :

*Resolved by the Senate and House of Representatives,* That his Excellency, the Governor, be authorized to appoint two commissioners to consider the subject of the restoration of sea-fish to the Connecticut River and its tributaries, the introduction of new varieties of fresh-water fish, and the protection of fish generally in our waters, and to make report of such facts and suggestions as may be material, to the next session of the Legislature ; and also to the Governor, if they deem an earlier report to be expedient, and that such commissioners communicate with commissioners that are or may be appointed by the states of Massachusetts, New Hampshire and Connecticut, upon the subject of the restoration of sea-fish ; and that his Excellency, the Governor, be requested to furnish the Governors of those states with a copy of this resolution ;

*Resolved,* That such commissioners be authorized to introduce into such of our waters as they may deem best suited therefor the spawn of the black bass, land-locked salmon, and other varieties, if they deem it expedient, provided the expense does not exceed the sum of one hundred dollars ;

Which was read and adopted in concurrence.

Engrossed bill entitled

S. 5. An act to incorporate the Wilmington Cornet Band ;

Was read the third time, and, on motion of Mr. Reed, was Ordered to lie.

Engrossed bill entitled

S. 11. An act to incorporate the Mount Mansfield Railroad Company ;

Was read the third time and passed.

A message was received from the House of Representatives, by Mr. Clarke, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have adopted, on their part, a joint resolution authorizing the Adjutant and Inspector General to procure certain books and papers for the use of the State ;

In the adoption of which the concurrence of the Senate is requested.

The House have passed bills, originating in the House, of the following titles :

H. 18. An act relating to recognizances in criminal cases ;

H. 28. An act to continue and regulate the pay of grand and petit jurors ;

H. 31. An act for the preservation of fish in Colchester Pond ;

H. 48. An act to amend chapter twenty, section thirty-eight, of the General Statutes ;

In the passage of which the concurrence of the Senate is requested.

The House have considered a joint resolution from the Senate, relating to the distribution of the Directory for 1865, And have adopted the same in concurrence.

A joint resolution from the House of Representatives :

*Resolved by the General Assembly of the State of Vermont :*

*First,* That the Adjutant and Inspector General be directed to procure from the War Department of the United States, if practicable, for deposit and preservation in his office for the use of the State of Vermont, the original company and regimental books, of all Vermont troops who have served in the army of the United States during the war of the rebellion of 1861 ;

*Second,* That if the original books cannot be obtained for the use of the State, as above mentioned, the Adjutant and

Inspector General be authorized to procure, if practicable, copies of all such books, for the use of the State ;

Which was read, and, on motion of Mr. Reed, referred to the Committee on Military Affairs.

House bills of the following titles were severally read the first and second time and referred, to wit :

H. 18. An act relating to recognizances in criminal cases ;

H. 28. An act to continue and regulate the pay of grand and petit jurors ;

To the Committee on the Judiciary.

H. 31. An act for the preservation of fish in Colchester Pond ;

To the General Committee.

H. 48. An act to amend chapter twenty, section thirty-eight, of the General Statutes, relating to compensation to be allowed Vermont Asylum for the Insane ;

To the Committee on Finance.

A message from his Excellency, the Governor, by Mr. Gay, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor to deliver to the Senate a communication in writing, with an accompanying document.

EXECUTIVE CHAMBER, }  
Montpelier, October 24, 1865. }

HON. A. B. GARDNER, *President of the Senate* :

SIR : I have the honor to transmit herewith a copy of a certain resolution passed by the legislature of the state of Rhode Island in relation to the reconstruction of the states recently in rebellion against the United States. Also a copy of a joint resolution passed by the legislature of the state of Michigan asking an appropriation of lands by Congress to endow Female Colleges in the several states.

PAUL DILLINGHAM.

The President *pro tempore* laid before the Senate the following resolutions of the states of Rhode Island and Michigan :

(See Appendix.)

Which were read and referred to the Committee under the Fourth Joint Rule.

Mr. Reed, from the Committee on Printing to whom was referred Senate bill entitled

S. 17. An act for establishing town libraries ;

Reported the same, recommending the printing of three hundred and fifty copies of said bill; whereupon it was *Ordered* to lie, and be printed.

On motion of Mr. Hutchinson, the Senate adjourned.

### AFTERNOON.

Senate bills of the following titles, having been printed, were taken up and referred, viz :

S. 9. An act in amendment of section forty-two of chapter one hundred and twenty-six of the General Statutes, in relation to the fees of town clerks ;

S. 13. An act to confirm certain decrees of the court of chancery ;

To the Committee on the Judiciary.

S. 12. An act determining the liabilities of persons erecting fences within the limits of the highway ;

To the General Committee.

S. 14. An act in relation to weights and marks on casks and packages containing butter ;

To the Committee on Agriculture.

S. 15. An act to repeal an act organizing the militia, approved November 22, 1864 ;

To the Committee on Military Affairs.

S. 17. An act for establishing town libraries ;

To the Committee on Education.

A bill entitled

S. 3. An act to incorporate the home for destitute children at Burlington ;

Was taken up. The question being, Shall the bill be engrossed and read the third time? it was decided in the affirmative.

Mr. Henry from the Committee on Military Affairs to whom was referred a joint resolution from the House authorizing the Adjutant and Inspector General to procure copies of certain books and papers,

Reported the same, recommending that the Senate propose to the House to amend by adding to the second section of the resolution the following : *Providing that the entire*

*cost to the State in obtaining said books or copies shall not exceed four hundred dollars;*

Which was agreed to; and the question being, Shall the resolution be adopted in concurrence, with proposals of amendment? on motion of Mr. Barrett, the resolution was *Ordered* to lie.

Mr. Clement from the Committee on Manufactures to whom was referred a bill entitled

S. 10. An act to incorporate the Caledonia Woolen Manufacturing Company;

Reported in favor of its passage, and, on motion of Mr. Abbott, the bill was

*Ordered* to lie.

On motion of Mr. Reed, engrossed bill entitled

S. 5. An act to incorporate the Wilmington Cornet Band;

Was taken up; and the question being, Shall the bill pass? it was decided in the affirmative.

On motion of Mr. Reed, the Senate adjourned.

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WEDNESDAY, OCTOBER 25, 1865.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr. Pennock offered the following joint resolution:

*Resolved by the Senate and House of Representatives,* That the two Houses meet in Joint Assembly, on Thursday, October 26, at three o'clock in the afternoon, to hear the report of the committee appointed to canvass the votes for county and probate officers, and, if necessary, to complete the election of such officers;

Which was read and adopted on the part of the Senate.

Mr. Dorr introduced the following joint resolution:

*Resolved by the Senate and House of Representatives,* That our senators in Congress be instructed, and our repre-

sentatives be requested to exert their influence to secure such an amendment or modification of the national banking law as will provide for a uniform rate of interest throughout the United States to persons doing business with said banks, and such further amendment or modification of said banking act as will allow of a larger banking capital in the State of Vermont than is now provided under said act.

*Resolved*, That a copy of these resolutions, properly attested, be transmitted by his Excellency, the Governor, to each of our senators and representatives in Congress, and to the Secretary of the Treasury of the United States;

Which was read; and, on motion of Mr. Reed, referred to the Committee on Finance.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 28. An act to continue and regulate the pay of grand and petit jurors;

Reported the same, recommending that the Senate propose to the House to amend said bill by striking out the words "one dollar and fifty cents," in the last line but one in section one, and inserting in lieu thereof the words, *two dollars*;

Which was agreed to; thereupon the bill was

*Ordered* to be read the third time to-morrow morning.

The President appointed as the Committee on the part of the Senate under the joint resolution providing for a Committee of Inquiry,

Senator Reed.

Mr. Taft, from the Committee on the Judiciary to whom was referred House bill entitled

H. 18. An act relating to recognizances in criminal cases;

Reported in favor of its passage; and thereupon said bill was

*Ordered* to be read the third time to-morrow morning.

Mr. Reed, from the Committee on the Judiciary to whom was referred a bill entitled

S. 9. An act in amendment of section forty-two of chapter one hundred and twenty-six of the General Statutes, in relation to the fees of town clerks;

Reported the same, recommending that the bill be amended by striking out the first section, and inserting in lieu thereof, the following: *The fees of town clerks for recording each quit claim, warranty or mortgage deed, including the cer-*

*tificate, shall be fifty cents, and for all other recording and copying, ten cents per folio;*

Which was agreed to; and as amended the bill was

*Ordered* to be engrossed, and read the third time to-morrow morning.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate, that the House have adopted, on their part, a joint resolution granting the use of the Representatives' Hall to the principal of the Hartford Asylum for the deaf and dumb;

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House of Representatives:

*Resolved by the Senate and House of Representatives,* That the use of the Representatives' Hall be granted to M. C. Stone, Esq., the principal of the Hartford Asylum for the deaf and dumb, at three o'clock this afternoon, to enable him to exhibit, in the presence of the two Houses, the proficiency of his pupils, and their capability of being taught and receiving instruction—some of whom are beneficiaries of this State;

Which was read and adopted in concurrence.

On motion of Mr. Barrett, the joint resolution from the House, authorizing the Adjutant and Inspector General to procure copies of certain books and papers,

Was taken up, read the third time, and adopted in concurrence, with a proposal of amendment.

Mr. Hyde introduced a bill entitled

S. 19. An act to incorporate the Rutland County Marble Company;

Which was read the first and second time, and referred to the Committee on Manufactures.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate, that the House have appointed, as a committee on their part, on the joint resolution providing for a Committee of Inquiry,

Mr. Hebard of Chelsea,

" Walker of Ludlow.

Mr. Taft, for a majority of the Committee on the Judiciary to whom was referred a bill entitled

S. 7. An act for the support of the poor in the unorganized towns and gores in this State;

Reported in favor of its passage; thereupon said bill was *Ordered* to be engrossed, and read the third time this afternoon.

Mr. Hyde, from the Committee on Finance to whom was referred House bill entitled

H. 48. An act to amend chapter twenty, section thirty-eight, of the General Statutes, relating to compensation to be allowed Vermont Asylum for the insane;

Reported in favor of its passage; thereupon said bill was read the third time and passed in concurrence.

On motion of Mr. Gay, the Senate adjourned.

## AFTERNOON.

The report of the trustees of the Vermont Agricultural College, having been printed, was taken up and referred to the Committee under the Fourth Joint Rule.

(For Report see Appendix.)

Mr. Upham, from the General Committee to whom was referred a bill entitled

S. 18. An act to amend an act entitled "An act to incorporate the city of Burlington";

Reported in favor of its passage; thereupon the bill was *Ordered* to be engrossed and read the third time.

A message was received from his Excellency, the Governor, by Mr. Gay, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT: I am directed by the Governor to deliver to the Senate a communication in writing, with an accompanying document.

The President laid before the Senate the following communication from his Excellency, the Governor:

EXECUTIVE CHAMBER,  
Montpelier, October 25, 1865. }

HON. A. B. GARDNER, *President of the Senate*:

SIR: I have the honor to transmit herewith the annual report of the trustees of the Vermont State Library.

PAUL DILLINGHAM.

The report of the trustees of the State Library was read and referred to the Committee on Printing.

(For Report of 1864 and 1865, see Appendix.)

On motion of Mr. Taft, the Senate adjourned.

THURSDAY, OCTOBER 26, 1865.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bill entitled

S. 11. An act to incorporate the Mount Mansfield Railroad Company;

And have passed the same in concurrence.

The House have passed a bill entitled

H. 10. An act relating to jailors' fees;

In the passage of which the concurrence of the Senate is requested.

House bill entitled

H. 10. An act relating to jailors' fees;

Was read the first and second time, and referred to the Committee on the Judiciary.

Mr. Hyde, from the Committee on Finance to whom was referred a joint resolution of instruction to senators and representatives in Congress, reported the same, recommending its adoption; and, on motion of Mr. Reed, it was

*Ordered* to lie.

Mr. Hyde introduced a bill entitled  
S. 20. An act to amend sections eighty-three and eighty-six of chapter twenty-two of the General Statutes, relating to the distribution of school moneys ;

Which was read the first and second time, and referred to the Committee on Printing.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered a joint resolution from the Senate, providing for a Joint Assembly, and have adopted the same in concurrence.

Mr. Skinner, from the Committee under the Fourth Joint Rule, submitted the following report :

*To the Honorable Senate now in session :*

The Committee under the Fourth Joint Rule, to whom was referred resolutions in relation to the reconstruction of the states recently in rebellion against the United States, passed by the legislature of the state of Rhode Island, June 15, 1865, respectfully ask leave to report, that they have had the same under consideration, and fully concur therein, and recommend the adoption of the following joint resolutions :

*Resolved*, That it is the sense of the General Assembly of this State, that in the reconstruction of the governments of the states lately in rebellion against the Government and authority of the United States, the moral power and legal authority vested in the Federal Government, should be exercised to secure equal rights, without respect to color, to all citizens residing in those states, including herein the right of elective franchise.

*Resolved*, That the Secretary of State is hereby instructed to transmit a copy of these resolutions to the President of the United States, to the governors of the several states, and also a copy to each of our senators and representatives in Congress, who are hereby requested to present the same to both Houses in Congress.

The said joint resolutions, reported by the committee, were read and adopted on the part of the Senate.

Mr. Reed, from the Committee on Printing to whom was referred the report of the trustees of the Vermont State Library, reported, recommending that three hundred and fifty

copies be printed (omitting the schedule of books); there-upon the report was

*Ordered* to lie and be printed.

On motion of Mr. Abbott, a bill entitled

S. 10. An act to incorporate the Caledonia Woolen Manufacturing Company;

Was taken up. Mr. Abbott moved to amend by striking out the word "woolen," in the title of the bill, also in the fifth line of the first section;

Which was agreed to; and the bill, as amended, was

*Ordered* to be engrossed, and read the third time.

Engrossed bill entitled

S. 7. An act for the support of the poor in the unorganized towns and gores in this State;

Was read the third time; and, on motion of Mr. Dorr,

*Ordered* to lie.

Engrossed bill entitled

S. 9. An act in amendment of section forty-two of chapter one hundred and twenty-six of the General Statutes, in relation to the fees of town clerks;

Was read the third time and passed.

House bill entitled

H. 18. An act relating to recognizances in criminal cases;

Was read the third time and passed in concurrence.

House bill entitled

H. 28. An act to continue and regulate the pay of grand and petit jurors;

Was read the third time and passed in concurrence, with proposals of amendment.

Mr. Reed, from the Committee on Printing to whom was referred a bill entitled

S. 20. An act to amend sections eighty-three and eighty-six of chapter twenty-two of the General Statutes, relating to the distribution of school moneys;

Reported the same, recommending the printing of three hundred and fifty copies; and the bill was

*Ordered* to lie and be printed.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate proposals of amendment to a joint resolution from the House, authorizing the Adju-

tant and Inspector General to procure copies of certain books and papers ;

And have adopted the same in concurrence.

On motion of Mr. Doton, the Senate adjourned.

## AFTERNOON.

The President laid before the Senate a communication from the Secretary of State, as follows :

STATE OF VERMONT,  
SECRETARY OF STATE'S OFFICE,  
Montpelier, October 26, 1865. }

*To the General Assembly of the State of Vermont :*

In compliance with the provisions of the General Statutes, I have the honor of herewith transmitting the eighth annual report relating to the registry and returns of births, marriages and deaths in the State, for the year ending December 31, 1864.

Respectfully submitted,

GEORGE NICHOLS, Secretary of State.

The President laid before the Senate the eighth annual report of the births, marriages and deaths ;

Which was read ; and, on motion of Mr. Richmond, was Ordered to lie, and one thousand copies be printed for the use of the General Assembly.

Mr. Richmond, from the Committee on Agriculture to whom was referred a bill entitled

S. 14. An act in relation to the weights and marks on casks and packages containing butter ;

Reported the same, recommending that the bill be amended in section two, line four, by inserting after the word "state," the words, *subsequent to the time when this act shall take effect* ; which was agreed to ; also to add section three as follows :

*Sec. 3. This act shall take effect from and after April 1st, 1866 ;*

Which was agreed to ; thereupon the bill as amended was Ordered to be engrossed, and read the third time tomorrow morning.

Mr. Taft, from the Committee on the Judiciary to whom was referred House bill entitled

H. 10. An act relating to jailors' fees ;

Reported in favor of its passage ; whereupon said bill was Ordered to be read the third time to-morrow morning.

Mr. Tabor, from the General Committee to whom was referred House bill entitled

H. 31. An act for the preservation of fish in Colchester Pond ;

Reported in favor of its passage ; and thereupon said bill was read the third time and passed in concurrence.

A message was received from the House of Representatives as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed bills of the following titles :

H. 12. An act to incorporate the Rochester Cemetery Association ;

H. 21. An act to incorporate the Bennington Manufacturing Company ;

H. 39. An act to legalize the grand list of the town of Ira ;

H. 45. An act to incorporate the village of Fairhaven ;

H. 51. An act to incorporate the Pittsford Marble Company ;

In the passage of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second time and referred, to wit :

H. 12. An act to incorporate the Rochester Cemetery Association ;

H. 45. An act to incorporate the village of Fairhaven ;  
To the General Committee.

H. 21. An act to incorporate the Bennington Manufacturing Company ;

H. 51. An act to incorporate the Pittsford Marble Company ;  
To the Committee on Manufactures.

H. 39. An act to legalize the grand list of the town of Ira ;  
To the Committee on the Judiciary.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have considered the Senate proposals of amendment to House bill entitled

H. 28. An act to continue and regulate the pay of grand and petit jurors;

And have adopted the same in concurrence.

Engrossed bill entitled

S. 3. An act to incorporate the home for destitute children at Burlington;

Was read the third time and passed.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bill entitled

S. 4. An act to incorporate the West Concord Manufacturing Company;

And have passed the same in concurrence, with proposals of amendment;

In the adoption of which the concurrence of the Senate is requested.

Engrossed bill entitled

S. 4. An act to incorporate the West Concord Manufacturing Company;

Was taken up, having been returned from the House of Representatives, with the following proposal of amendment: Strike out all after the word "company," in the seventh line of section seven, and insert in lieu thereof the words, *for such excess*;

Which was agreed to.

Mr. Skinner, from the Committee under the Fourth Joint Rule, presented the following report:

*To the Honorable Senate now in session:*

The Committee under the Fourth Joint Rule, to whom was referred a joint resolution passed by the Senate and House of Representatives of the State of Michigan, "asking an appropriation of lands by Congress, to endow female colleges in the several states," respectfully ask leave to report that they have had the same under consideration, and recommend the adoption of the following joint resolution:

*Resolved by the General Assembly of the State of Vermont,* That our senators and representatives in Congress be and are hereby requested to use their influence to procure a

donation of lands by Congress to endow female colleges in the several states ;

*Resolved*, That we hereby invite and urgently recommend the legislatures of the several states to co-operate with this State in procuring from the Federal Government a grant of land for the aforesaid purpose ;

*Resolved*, That the Secretary of State be and he is hereby requested to transmit a copy of the foregoing resolutions to each of our senators and representatives in Congress, and to each of the legislatures of all loyal states.

The said joint resolutions reported by the committee were read and adopted on the part of the Senate.

Mr. Doton introduced a bill entitled

S. 21. An act to amend the charter of the Woodstock Railroad Company ;

Which was read the first time ; and the question being, Shall the bill be read the second time ? Mr. Crane raised a point of order : whether a vote can be taken upon said bill before the Senate has evidence that the provisions of section one of chapter three of the General Statutes, have been complied with.

Pending the decision of the President, the hour for a meeting of the Joint Assembly having arrived, the Senate repaired to the Hall of the House of Representatives, and having returned therefrom,

The President decided the point of order raised by Senator Crane, as well taken, that a bill may be introduced, and then the question arises, whether the statute has been complied with ; and that, in the opinion of the Chair, the statutory provision as applicable to this bill is imperative.

Mr. Reed appealed from the decision of the President.

The question being, Shall the decision of the Chair stand as the judgment of the Senate ? it was decided in the affirmative—yeas 18, nays 7.

Mr. Reed having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Abbott,  
Allen,  
Barrett,  
Clement,  
Crane,  
Dorr,

Gay,  
Hobart,  
Howe,  
Hutchinson,  
Hyde,  
Ide,

Meacham,  
Porter,  
Richmond,  
Rublee,  
Skinner,  
Soule—18.

Those senators who voted in the negative are Messrs.

Cookson,  
Dwyer,  
Farr,

Reed,  
Tabor,

Taft,  
Upham—7.

So the decision of the Chair stands as the judgment of the Senate.

Thereupon the President referred the subject matter of said bill to the Committee on Roads, to report the facts to the Senate, whether the requirements of the General Statutes had been complied with as to notice of application.

On motion of Mr. Reed, the Senate went into executive session.

The President laid before the Senate the following communication from his Excellency, the Governor :

EXECUTIVE CHAMBER,

Montpelier, October 24, 1865. }

HON. A. B. GARDNER, *President of the Senate* :

I nominate to the Senate for their advice, consent and approval, the following persons to compose the Board of Education for the present year, to wit :

Hiland Hall of Bennington,  
Phiny H. White of Coventry,  
Merritt Clark of Poultney.

PAUL DILLINGHAM.

The aforesaid nominations were confirmed, and the executive session dissolved.

On motion of Mr. Richmond, the Senate adjourned.

FRIDAY, OCTOBER 27, 1865.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr. Skinner introduced a bill entitled

S. 22. An act to pay Milton Barnard the sum therein mentioned ;

Which was read the first and second time, and referred to the Committee on Claims.

Mr. Chapman presented the petition of Asahel Ross and seventy-nine others, citizens of Cavendish and vicinity, praying for a repeal of the militia law of the October session, 1864 ;

Which was referred to the Committee on Military Affairs.

Mr. Dorr offered the following proposal of amendment to Senate Rule 18 : *And all applications for a grant, or for any alteration or extension of a grant, for any of the purposes mentioned in chapter three, section one, of the General Statutes, before they shall be voted upon, shall be referred by the President to the appropriate committee, to ascertain and report whether the requirements of said section have been complied with ;*

The proposal of amendment was laid upon the table, under the 34th Rule.

Mr. Chapman presented the petition of Kendall Taylor and forty-seven others, citizens of Cavendish and vicinity, praying for the enactment of a law to compel the railroad corporations to so alter or construct their bridges as to afford better protection to the lives of persons in passing the same ;

Which was referred to the Committee on Roads.

Engrossed bills entitled

S. 10. An act to incorporate the Caledonia Manufacturing Company ;

S. 14. An act in relation to the weights and marks on casks and packages containing butter ;

Were severally read the third time and passed.

House bill entitled

H. 10. An act relating to jailors' fees ;

Was read the third time and passed in concurrence.

A bill entitled

S. 20. An act to amend sections eighty-three and eighty-six of chapter twenty-two of the General Statutes, relating to the distribution of school moneys ;

Having been printed, was taken up and referred to the Committee on Education.

On motion of Mr. Dorr, engrossed bill entitled

S. 7. An act for the support of the poor in the unorganized towns and gores in this State ;

Was taken up. Senator Crane moved that the bill be committed to a senator to amend, by adding a section to be numbered section six, as follows :

*Sec. 6. The Auditor of Accounts shall annually, in*

*the month of December, report to the State Treasurer the amount of all claims by him allowed for the support of the poor in the various unorganized towns and gores, during the preceding year, and the State Treasurer shall thereupon issue his warrants to the various collectors of the unorganized towns and gores in which such claims shall arise, levying upon the grand lists thereof a tax sufficient to pay the same, which tax shall be collected and paid to the State Treasurer in the same manner as is now provided by law for collecting taxes in the unorganized towns and gores in this State;*

Also to add as section seven the following :

*Sec. 7. This act shall take effect from its passage;*

Which was agreed to ; and the President designated Mr. Crane as the senator to whom the bill should be committed to amend, under the instructions of the Senate.

Mr. Crane, to whom was committed engrossed bill entitled

S. 7. An act for the support of the poor in the unorganized towns and gores of this State ;

Reported the same amended agreeably to the instructions of the Senate.

On motion of Mr. Taft, said bill was

*Ordered* to lie.

Mr. Cochran, from the Committee on Manufactures to whom was referred a bill entitled

S. 19. An act to incorporate the Rutland County Marble Company ;

Reported the same, recommending that the bill be amended by adding to section two the following : *And if the directors or agents of said company shall contract debts to a larger amount than before named, then the directors and stockholders shall be holden for such excess to the creditors ;*

Which was agreed to ; and the bill as amended was

*Ordered* to be engrossed and read the third time.

Mr. Gay, from the Committee on Manufactures to whom was referred a bill entitled

S. 16. An act to incorporate the Farmingdale Marble Company ;

Reported in favor of its passage ; and thereupon said bill was

*Ordered* to be engrossed, and read the third time.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed bills of the following titles :

H. 2. An act in relation to appeals in suits pending in the court of chancery ;

H. 4. An act laying a tax on the county of Essex for repairing the jail and building a jail house in the county ;

H. 11. An act in addition to chapter one hundred and twenty-one of the General Statutes, in regard to the discharge of poor debtors ;

H. 35. An act in amendment of an act incorporating the Green Mountain Central Institute ;

In the passage of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second time and referred, to wit :

H. 2. An act in relation to appeals in suits pending in the court of chancery ;

H. 11. An act in addition to chapter one hundred and twenty-one of the General Statutes, in regard to the discharge of poor debtors ;

To the Committee on the Judiciary.

H. 35. An act in amendment of an act incorporating the Green Mountain Central Institute ;

To the Committee on Education.

On motion of Mr. Cochran, the Senate adjourned.

#### AFTERNOON.

On motion of Mr. Barrett, leave of absence was granted to Senator Flagg on account of illness.

Mr. Taft, from the Committee on the Judiciary to whom was referred House bill entitled

H. 11. An act in addition to chapter one hundred and twenty-one of the General Statutes, in regard to the discharge of poor debtors ;

Reported in favor of its passage ; and thereupon said bill was

*Ordered* to be read the third time to-morrow morning.

Mr. Porter, from the General Committee to whom was referred House bill entitled

H. 12. An act to incorporate the Rochester Cemetery Association ;

Reported in favor of its passage ; whereupon said bill was read the third time and passed in concurrence.

Mr. Barrett, from the Committee on Education to whom was referred a bill entitled

S. 17. An act for establishing town libraries ;

Reported in favor of its passage ; and thereupon said bill was

Ordered to be engrossed, and read the third time to-morrow morning.

Mr. Taft, from the Committee on the Judiciary to whom was referred House bill entitled

H. 39. An act to legalize the grand list of the town of Ira ;

Reported the same, recommending that the Senate propose to the House to amend by adding to section three, the following words : *but shall not affect any suit now pending ;*

Which was agreed to ; whereupon the bill was read the third time, and passed in concurrence, with proposals of amendment.

Mr. Chapman introduced a bill entitled

S. 23. An act to pay Thomas E. Powers the balance due him for superintending the reconstruction of the State House ;

Which was read the first and second time, and referred to the Committee on Claims.

On motion of Mr. Skinner, the Senate adjourned.

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SATURDAY, OCTOBER 28, 1865.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr. Richmond introduced a bill entitled

S. 24. An act annexing certain islands in Lake Mem-

phremagog to the town of Derby, and authorizing their sale, together with Province island ;

Which was read the first time, and the question being, Shall the bill be read the second time? Mr. Dorr raised a point of order, whether a vote can be taken upon said bill before the Senate has evidence that the provisions of section one of chapter three of the General Statutes, have been complied with.

The President decided the point of order raised by Senator Dorr as well taken ; that the said bill is of that class. Thereupon the President referred the subject matter of said bill to the General Committee, to report the facts to the Senate, whether the requirements of the General Statutes had been complied with, as to notice of application.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

Mr. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bills entitled

S. 2. An act relating to offenses against private property ;

S. 5. An act to incorporate the Wilmington Cornet Band ;

S. 9. An act in amendment of section forty-two of chapter one hundred and twenty-six of the General Statutes, in relation to the fees of town clerks ;

And have passed the same in concurrence.

The House have considered Senate bill entitled

S. 1. An act to incorporate the Castleton Hotel Company ;

And have passed the same in concurrence, with proposals of amendment,

In the adoption of which the concurrence of the Senate is requested.

The House have passed a bill of the following title :

H. 22. An act to protect butter and cheese manufactures ;

In the passage of which the concurrence of the Senate is requested.

House bill entitled

H. 22. An act to protect butter and cheese manufactures ;

Was read the first and second time, and referred to the Committee on Agriculture.

Engrossed bill entitled

S. 1. An act to incorporate the Castleton Hotel Company ;

Was taken up, having been returned from the House of Representatives, with the following proposals of amendment :  
strike out section three, and substitute the following :

*Sec. 3. Said corporation shall not contract any debts until two thousand dollars of its capital stock shall have been paid in, and at no time shall the indebtedness of said company exceed one-half of the capital stock actually paid in; and if the indebtedness of said corporation shall, at any time, exceed that amount, the directors and stockholders of said corporation shall be personally liable to the creditors of said company for such excess.*

Also strike out section five, and substitute the following:

*Sec. 5. This act shall be under the control of any future legislature, to alter, amend, or repeal, as the public good may require, and subject to the provisions of chapter eighty-six of the General Statutes, relating to private corporations.*

On motion of Mr. Hyde, said bill and proposals of amendment were

Ordered to lie.

Mr. Reed introduced a bill entitled

S. 25. An act to construe section one of chapter three of the General Statutes;

Which was read the first and second time, and referred to the Committee on the Judiciary.

Mr. Howe introduced the following joint resolution:

*Resolved by the Senate and House of Representatives, That a joint committee, consisting of two senators and three representatives, be appointed by the presiding officers of the two Houses respectively, for the purpose of fixing upon the earliest day practicable with the necessary business of the session, for a final adjournment of the General Assembly, and report at an early day;*

Which was read, and adopted on the part of the Senate.

Mr. Doton introduced a bill entitled

S. 26. An act relating to the duties of school district clerks;

Which was read the first and second time, and referred to the Committee on Printing;

Mr. Taft introduced a bill entitled

S. 27. An act to amend the charter of the Burlington Aqueduct Company;

Which was read the first and second time, and referred to the General Committee.

The report of the trustees of the State Library was taken up and referred to the Joint Committee on the Library;

Engrossed bills of the following titles were severally read the third time and passed :

S. 16. An act to incorporate the Farmingdale Marble Company ;

S. 17. An act for establishing town libraries ;

S. 19. An act to incorporate the Rutland County Marble Company.

House bill entitled

H. 11. An act in addition to chapter one hundred and twenty-one of the General Statutes, in regard to the discharge of poor debtors ;

Was read the third time and passed in concurrence.

The proposal of amendment to Senate Rule 18, offered by Mr. Dorr on yesterday, was taken up. Mr. Reed moved that said proposal of amendment be

*Ordered to lie.*

The question being, Shall the proposed amendment be ordered to lie? it was decided in the affirmative—yeas 19, nays 3.

Mr. Cochran having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Allen,  
Barrett,  
Chapman,  
Clement,  
Cochran,  
Dutton,  
Gay,

Hobart,  
Meacham,  
Park,  
Porter,  
Reed,  
Richmond,

Rublee,  
Skinner,  
Smith,  
Taber,  
Taft,  
Upham—19.

Those senators who voted in the negative are Messrs.

Dorr,

Howe,

Hyde—3.

So the proposed amendment was

*Ordered to lie.*

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills, originating in the House, of the following titles :

H. 10. An act relating to jailors' fees ;

H. 18. An act relating to recognizances in criminal cases ;

H. 28. An act to continue and regulate the pay of grand and petit jurors ;

H. 31. An act for the preservation of fish in Colchester Pond;

H. 48. An act to amend chapter twenty, section thirty-eight, of the General Statutes, relating to compensation to be allowed Vermont Asylum for the Insane.

The House have considered Senate proposal of amendment to House bill entitled

H. 39. An act to legalize the grand list of the town of Ira;

And have adopted the same in concurrence.

The House have passed bills entitled

H. 26. An act to incorporate the Washington Slate and Tile Company;

H. 42. An act to incorporate the Fairhaven Hotel Company;

H. 56. An act to incorporate the Windsor County Gold Mining Company;

H. 59. An act to incorporate the Danby Cemetery Association;

H. 61. An act to incorporate the Swanton Falls Manufacturing Company;

H. 63. An act to legalize the grand list of the town of Stockbridge for the year 1864;

H. 65. An act to pay the town of Stockbridge the sum therein named;

H. 68. An act to legalize the grand list of the town of Lemington for the years 1864 and 1865;

H. 70. An act to legalize the grand list of the town of Whiting;

H. 73. An act to incorporate the Wantastiquet Hotel Company;

In the passage of which the concurrence of the Senate is requested.

A message from his Excellency, the Governor, by Mr. Gay, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT: I am directed by the Governor, to inform the Senate, that he has approved and signed bills originating in the Senate, of the following titles:

S. 4. An act to incorporate the West Concord Manufacturing Company;

S. 11. An act to incorporate the Mount Mansfield Railroad Company.

On motion of Mr. Smith, the Senate adjourned.

## AFTERNOON.

On motion of Mr. Hyde, engrossed bill entitled

S. 1. An act to incorporate the Castleton Hotel Company;

Was taken up. Mr. Hyde moved to propose to the House to modify their first proposal of amendment by striking out in section three, line five, the words "one-half," and inserting in lieu thereof the words, *three-fourths*;

Which was agreed to; thereupon the House proposals of amendments, as modified, were adopted in concurrence.

House bills of the following titles were severally read the first and second time and referred, to wit:

H. 26. An act to incorporate the Washington Slate and Tile Company;

H. 56. An act to incorporate the Windsor Gold Mining Company;

H. 61. An act to incorporate the Swanton Falls Manufacturing Company;

To the Committee on Manufactures.

H. 42. An act to incorporate the Fairhaven Hotel Company;

H. 59. An act to incorporate the Danby Cemetery Association;

H. 73. An act to incorporate the Wantastiquet Hotel Company;

To the General Committee.

H. 63. An act to legalize the grand list of the town of Stockbridge for the year 1864;

H. 68. An act to legalize the grand list of the town of Lemington for the years 1864 and 1865;

H. 70. An act to legalize the grand list of the town of Whiting;

To the Committee on the Judiciary.

H. 65. An act to pay the town of Stockbridge the sum therein named;

To the Committee on Claims.

Mr. Taft, from the Committee on the Judiciary to which was referred so much of the Governor's message as relates

to salaries and fees of State's attorneys, submitted the following report :

(For report and bill see Appendix.)

A bill reported by the Committee on the Judiciary entitled S. 28. An act providing for the appointment of an Attorney General, and regulating the fees of State's attorneys ; Was read the first and second time, and the question being, Shall the bill be engrossed and read the third time? on motion of Mr. Reed, the report of the Committee on the Judiciary, and the bill, were severally

Ordered to lie, and five hundred copies be printed for the use of the General Assembly.

Mr. Upham, from the General Committee to whom was referred House bill entitled

H. 45. An act to incorporate the village of Fairhaven ; Reported in favor of its passage ; whereupon said bill was read the third time and passed in concurrence.

Mr. Clement, from the Committee on Manufactures to whom was referred House bill entitled

H. 21. An act to incorporate the Bennington Manufacturing Company ;

Reported in favor of its passage ; and thereupon said bill was read the third time and passed in concurrence.

On motion of Mr. Reed, engrossed bill entitled

S. 7. An act for the support of the poor in the unorganized towns and gores in this State ;

Was taken up, and recommitted to the Committee on the Judiciary.

Mr. Cochran, from the Committee on Manufactures to whom was referred House bill entitled

H. 51. An act to incorporate the Pittsford Marble Company ;

Reported the same, recommending that the Senate propose to the House to amend in section three, line four, after the word "business," by inserting the words, *or until the creditors of said corporation are paid or otherwise satisfied ;*

Which was agreed to ; and thereupon the bill was read the third time and passed in concurrence, with proposals of amendment.

Mr. Reed, from the Committee on the Judiciary to whom was referred a bill entitled

S. 13. An act to confirm certain decrees of the court of chancery ;

Reported in favor of its passage; and thereupon said bill was

*Ordered* to be engrossed and read the third time on Monday morning next.

Mr. Reed, from the Committee on Printing to whom was referred a bill entitled

S. 26. An act relating to the duties of school district clerks;

Reported the same, recommending the printing of three hundred and fifty copies; and the bill was

*Ordered* to lie and be printed.

On motion of Mr. Porter, the Senate adjourned.

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MONDAY, OCTOBER 30, 1865.

Prayer by the Chaplain.

Journal of Saturday was read and approved.

Mr. Chapman introduced a bill entitled

S. 29. An act to pay Silas Warren the sum therein mentioned;

Which was read the first and second time, and referred to the Committee on Claims.

Mr. Barrett introduced a bill entitled

S. 30. An act relating to the duties of teachers of common schools;

Which was read the first and second time, and referred to the Committee on Printing.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have adopted, on their part,

A joint resolution relating to final adjournment; also

A joint resolution relating to military property of the United States, now in possession of the State of Vermont;

In the adoption of which the concurrence of the Senate is requested.

The House have passed bills of the following titles :

H. 7. An act enlarging the jurisdiction of justices of the peace in certain criminal cases ;

H. 8. An act in addition to chapter twenty-five of the General Statutes, entitled "Of repairs of highways and bridges " ;

H. 29. An act to incorporate the Winooski Aqueduct Company ;

H. 40. An act to incorporate the North Bennington Hotel Company ;

H. 44. An act to legalize the grand list for the gores and unorganized towns in the county of Essex for the year 1864 ;

H. 49. An act to incorporate the Red Mountain Manufacturing Company ;

H. 60. An act to incorporate the Rochester Hotel Company ;

H. 69. An act to incorporate the Cabot Hotel Company ;

H. 75. An act to incorporate the Winooski Marble Company ;

H. 82. An act restoring Sewell Hale to his legal rights and privileges ;

In the passage of which the concurrence of the Senate is requested.

The House have considered the Senate proposal of modification of House proposal of amendment to Senate bill entitled

S. 1. An act to incorporate the Castleton Hotel Company ;  
And have concurred therein.

A joint resolution from the House of Representatives :

*Resolved by the Senate and House of Representatives,*  
That a joint committee of five be appointed, two by the President of the Senate, and three by the Speaker of the House, to take into consideration the subject of final adjournment, and report as soon as may be ;

Which was read, and adopted on the part of the Senate.

A joint resolution from the House of Representatives :

*Resolved by the Senate and House of Representatives,*  
That a joint committee consisting of two senators and three representatives be appointed by the presiding officers of the Senate and House respectively, to investigate, and report to their respective Houses, *what, if any, legislation* is needed, concerning the disposition of the military property of the United States now in the custody and use of this State, or any part thereof ;

Which was read, and adopted on the part of the Senate.

On motion of Mr. Dorr, the joint resolution from the House of Representatives, relating to final adjournment, was taken up, and its adoption reconsidered; and the resolution was *Ordered* to lie.

House bills of the following titles were severally read the first and second time, and referred, to wit:

H. 7. An act enlarging the jurisdiction of justices of the peace in certain criminal cases;

H. 8. An act in addition to chapter twenty-five of the General Statutes, entitled "Of repairs of highways and bridges";

H. 44. An act to legalize the grand list for the gores and unorganized towns in the county of Essex, for the year 1864;

H. 82. An act restoring Sewell Hale to his legal rights and privileges;

To the Committee on the Judiciary.

H. 29. An act to incorporate the Winooski Aqueduct Company;

H. 40. An act to incorporate the North Bennington Hotel Company;

H. 60. An act to incorporate the Rochester Hotel Company;

H. 69. An act to incorporate the Cabot Hotel Company;

H. 75. An act to incorporate the Winooski Marble Company;

To the General Committee.

H. 49. An act to incorporate the Red Mountain Manufacturing Company;

To the Committee on Manufactures.

Mr. Hyde introduced a bill entitled

S. 31. An act to incorporate the Bird Mountain Observatory Association;

Which was read the first and second time, and referred to the General Committee.

Engrossed bill entitled

S. 13. An act to confirm certain decrees of the court of chancery;

Was read the third time and passed.

On motion of Mr. Rublee, the Senate adjourned.

AFTERNOON.

The President appointed, as the committee on the part of the Senate, under the joint resolution, relating to military property of the United States now in possession of the State of Vermont,

Senator Henry,  
" Ide.

Mr. Reed, from the Committee on Printing to whom was referred a bill entitled

S. 30. An act relating to the duties of teachers of common schools ;

Reported the same, recommending the printing of three hundred and fifty copies ; and thereupon said bill was

~~Ordered to lie and be printed.~~

Mr. Crane introduced a bill entitled

S. 32. An act to amend section seventy-three of chapter thirty of the General Statutes ;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Doton, from the Committee on Education to whom was referred House bill entitled

H. 35. An act in amendment of an act incorporating the Green Mountain Central Institute ;

Reported in favor of its passage ; whereupon the bill was read the third time and passed in concurrence.

Mr. Upham, from the General Committee to whom was referred House bills entitled

H. 42. An act to incorporate the Fairhaven Hotel Company ;

H. 73. An act to incorporate the Wantastiquet Hotel Company ;

Reported in favor of their passage ; thereupon said bills were severally read the third time and passed in concurrence.

A bill entitled

S. 26. An act relating to the duties of school district clerks ;

Having been printed, was taken up and referred to the Committee on Education.

Engrossed bills of the following titles were severally read the third time and passed :

S. 16. An act to incorporate the Farmingdale Marble Company ;

S. 17. An act for establishing town libraries ;

S. 19. An act to incorporate the Rutland County Marble Company.

House bill entitled

H. 11. An act in addition to chapter one hundred and twenty-one of the General Statutes, in regard to the discharge of poor debtors ;

Was read the third time and passed in concurrence.

The proposal of amendment to Senate Rule 18, offered by Mr. Dorr on yesterday, was taken up. Mr. Reed moved that said proposal of amendment be

*Ordered to lie.*

The question being, Shall the proposed amendment be ordered to lie? it was decided in the affirmative—yeas 19, nays 3.

Mr. Cochran having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Allen,  
Barrett,  
Chapman,  
Clement,  
Cochran,  
Doten,  
Gay,

Hobart,  
Meacham,  
Park,  
Porter,  
Reed,  
Richmond,

Rublee,  
Skinner,  
Smith,  
Tabor,  
Taft,  
Upham—19.

Those senators who voted in the negative are Messrs.

Dorr,

Howe,

Hyde—3.

So the proposed amendment was

*Ordered to lie.*

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills, originating in the House, of the following titles :

H. 10. An act relating to jailors' fees ;

H. 18. An act relating to recognizances in criminal cases ;

H. 28. An act to continue and regulate the pay of grand and petit jurors ;

H. 31. An act for the preservation of fish in Colchester Pond;

H. 48. An act to amend chapter twenty, section thirty-eight, of the General Statutes, relating to compensation to be allowed Vermont Asylum for the Insane.

The House have considered Senate proposal of amendment to House bill entitled

H. 39. An act to legalize the grand list of the town of Ira;

And have adopted the same in concurrence.

The House have passed bills entitled

H. 26. An act to incorporate the Washington Slate and Tile Company;

H. 42. An act to incorporate the Fairhaven Hotel Company;

H. 56. An act to incorporate the Windsor County Gold Mining Company;

H. 59. An act to incorporate the Danby Cemetery Association;

H. 61. An act to incorporate the Swanton Falls Manufacturing Company;

H. 63. An act to legalize the grand list of the town of Stockbridge for the year 1864;

H. 65. An act to pay the town of Stockbridge the sum therein named;

H. 68. An act to legalize the grand list of the town of Lemington for the years 1864 and 1865;

H. 70. An act to legalize the grand list of the town of Whiting;

H. 73. An act to incorporate the Wantastiquet Hotel Company;

In the passage of which the concurrence of the Senate is requested.

A message from his Excellency, the Governor, by Mr. Gay, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT: I am directed by the Governor, to inform the Senate, that he has approved and signed bills originating in the Senate, of the following titles:

S. 4. An act to incorporate the West Concord Manufacturing Company;

S. 11. An act to incorporate the Mount Mansfield Railroad Company.

On motion of Mr. Smith, the Senate adjourned.

## AFTERNOON.

On motion of Mr. Hyde, engrossed bill entitled

S. 1. An act to incorporate the Castleton Hotel Company;

Was taken up. Mr. Hyde moved to propose to the House to modify their first proposal of amendment by striking out in section three, line five, the words "one-half," and inserting in lieu thereof the words, *three-fourths*;

Which was agreed to; thereupon the House proposals of amendments, as modified, were adopted in concurrence.

House bills of the following titles were severally read the first and second time and referred, to wit:

H. 26. An act to incorporate the Washington Slate and Tile Company;

H. 56. An act to incorporate the Windsor Gold Mining Company;

H. 61. An act to incorporate the Swanton Falls Manufacturing Company;

To the Committee on Manufactures.

H. 42. An act to incorporate the Fairhaven Hotel Company;

H. 59. An act to incorporate the Danby Cemetery Association;

H. 73. An act to incorporate the Wantastiquet Hotel Company;

To the General Committee.

H. 63. An act to legalize the grand list of the town of Stockbridge for the year 1864;

H. 68. An act to legalize the grand list of the town of Lemington for the years 1864 and 1865;

H. 70. An act to legalize the grand list of the town of Whiting;

To the Committee on the Judiciary.

H. 65. An act to pay the town of Stockbridge the sum therein named;

To the Committee on Claims.

Mr. Taft, from the Committee on the Judiciary to whom was referred so much of the Governor's message as relates

to salaries and fees of State's attorneys, submitted the following report :

(For report and bill see Appendix.)

A bill reported by the Committee on the Judiciary entitled S. 28. An act providing for the appointment of an Attorney General, and regulating the fees of State's attorneys;

Was read the first and second time, and the question being, Shall the bill be engrossed and read the third time? on motion of Mr. Reed, the report of the Committee on the Judiciary, and the bill, were severally

Ordered to lie, and five hundred copies be printed for the use of the General Assembly.

Mr. Upham, from the General Committee to whom was referred House bill entitled

H. 45. An act to incorporate the village of Fairhaven;

Reported in favor of its passage; whereupon said bill was read the third time and passed in concurrence.

Mr. Clement, from the Committee on Manufactures to whom was referred House bill entitled

H. 21. An act to incorporate the Bennington Manufacturing Company;

Reported in favor of its passage; and thereupon said bill was read the third time and passed in concurrence.

On motion of Mr. Reed, engrossed bill entitled

S. 7. An act for the support of the poor in the unorganized towns and gores in this State;

Was taken up, and recommitted to the Committee on the Judiciary.

Mr. Cochran, from the Committee on Manufactures to whom was referred House bill entitled

H. 51. An act to incorporate the Pittsford Marble Company;

Reported the same, recommending that the Senate propose to the House to amend in section three, line four, after the word "business," by inserting the words, *or until the creditors of said corporation are paid or otherwise satisfied*;

Which was agreed to; and thereupon the bill was read the third time and passed in concurrence, with proposals of amendment.

Mr. Reed, from the Committee on the Judiciary to whom was referred a bill entitled

S. 13. An act to confirm certain decrees of the court of chancery;

Reported in favor of its passage ; and thereupon said bill was

*Ordered* to be engrossed and read the third time on Monday morning next.

Mr. Reed, from the Committee on Printing to whom was referred a bill entitled

S. 26. An act relating to the duties of school district clerks ;

Reported the same, recommending the printing of three hundred and fifty copies ; and the bill was

*Ordered* to lie and be printed.

On motion of Mr. Porter, the Senate adjourned.

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MONDAY, OCTOBER 30, 1865.

Prayer by the Chaplain.

Journal of Saturday was read and approved.

Mr. Chapman introduced a bill entitled

S. 29. An act to pay Silas Warren the sum therein mentioned ;

Which was read the first and second time, and referred to the Committee on Claims.

Mr. Barrett introduced a bill entitled

S. 30. An act relating to the duties of teachers of common schools ;

Which was read the first and second time, and referred to the Committee on Printing.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

Mr. PRESIDENT : I am directed to inform the Senate that the House have adopted, on their part,

A joint resolution relating to final adjournment ; also

A joint resolution relating to military property of the United States, now in possession of the State of Vermont ;

In the adoption of which the concurrence of the Senate is requested.

The House have passed bills of the following titles :

H. 7. An act enlarging the jurisdiction of justices of the peace in certain criminal cases ;

H. 8. An act in addition to chapter twenty-five of the General Statutes, entitled "Of repairs of highways and bridges" ;

H. 29. An act to incorporate the Winooski Aqueduct Company ;

H. 40. An act to incorporate the North Bennington Hotel Company ;

H. 44. An act to legalize the grand list for the gores and unorganized towns in the county of Essex for the year 1864 ;

H. 49. An act to incorporate the Red Mountain Manufacturing Company ;

H. 60. An act to incorporate the Rochester Hotel Company ;

H. 69. An act to incorporate the Cabot Hotel Company ;

H. 75. An act to incorporate the Winooski Marble Company ;

H. 82. An act restoring Sewell Hale to his legal rights and privileges ;

In the passage of which the concurrence of the Senate is requested.

The House have considered the Senate proposal of modification of House proposal of amendment to Senate bill entitled

S. 1. An act to incorporate the Castleton Hotel Company ;  
And have concurred therein.

A joint resolution from the House of Representatives :

*Resolved by the Senate and House of Representatives,*  
That a joint committee of five be appointed, two by the President of the Senate, and three by the Speaker of the House, to take into consideration the subject of final adjournment, and report as soon as may be ;

Which was read, and adopted on the part of the Senate.

A joint resolution from the House of Representatives :

*Resolved by the Senate and House of Representatives,*  
That a joint committee consisting of two senators and three representatives be appointed by the presiding officers of the Senate and House respectively, to investigate, and report to their respective Houses, *what, if any, legislation* is needed, concerning the disposition of the military property of the United States now in the custody and use of this State, or any part thereof ;

Which was read, and adopted on the part of the Senate.

On motion of Mr. Dorr, the joint resolution from the House of Representatives, relating to final adjournment, was taken up, and its adoption reconsidered; and the resolution was *Ordered to lie.*

House bills of the following titles were severally read the first and second time, and referred, to wit:

H. 7. An act enlarging the jurisdiction of justices of the peace in certain criminal cases;

H. 8. An act in addition to chapter twenty-five of the General Statutes, entitled "Of repairs of highways and bridges";

H. 44. An act to legalize the grand list for the gores and unorganized towns in the county of Essex, for the year 1864;

H. 82. An act restoring Sewell Hale to his legal rights and privileges;

To the Committee on the Judiciary.

H. 29. An act to incorporate the Winooski Aqueduct Company;

H. 40. An act to incorporate the North Bennington Hotel Company;

H. 60. An act to incorporate the Rochester Hotel Company;

H. 69. An act to incorporate the Cabot Hotel Company;

H. 75. An act to incorporate the Winooski Marble Company;

To the General Committee.

H. 49. An act to incorporate the Red Mountain Manufacturing Company;

To the Committee on Manufactures.

Mr. Hyde introduced a bill entitled

S. 31. An act to incorporate the Bird Mountain Observatory Association;

Which was read the first and second time, and referred to the General Committee.

Engrossed bill entitled

S. 13. An act to confirm certain decrees of the court of chancery;

Was read the third time and passed.

On motion of Mr. Rublee, the Senate adjourned.

AFTERNOON.

The President appointed, as the committee on the part of the Senate, under the joint resolution, relating to military property of the United States now in possession of the State of Vermont,

Senator Henry,  
" Ide.

Mr. Reed, from the Committee on Printing to whom was referred a bill entitled

S. 30. An act relating to the duties of teachers of common schools ;

Reported the same, recommending the printing of three hundred and fifty copies ; and thereupon said bill was

*Ordered to lie and be printed.*

Mr. Crane introduced a bill entitled

S. 32. An act to amend section seventy-three of chapter thirty of the General Statutes ;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Eaton, from the Committee on Education to whom was referred House bill entitled

H. 35. An act in amendment of an act incorporating the Green Mountain Central Institute ;

Reported in favor of its passage ; whereupon the bill was read the third time and passed in concurrence.

Mr. Upham, from the General Committee to whom was referred House bills entitled

H. 42. An act to incorporate the Fairhaven Hotel Company ;

H. 73. An act to incorporate the Wantastiquet Hotel Company ;

Reported in favor of their passage ; thereupon said bills were severally read the third time and passed in concurrence.

A bill entitled

S. 26. An act relating to the duties of school district clerks ;

Having been printed, was taken up and referred to the Committee on Education.

A bill entitled

S. 28. An act providing for the appointment of an Attorney General, and regulating the fees of State's attorneys ;

Having been printed, was taken up. The question being, Shall the bill be engrossed and read the third time? on motion of Mr. Reed, it was

*Ordered to lie.*

Mr. Rublee, from the Committee on Claims to whom was referred House bill entitled

H. 65. An act to pay the town of Stockbridge the sum therein named ;

Reported in favor of its passage ; and, on motion of Mr. Barrett, it was

*Ordered to lie.*

Mr. Cochran, from the Committee on Manufactures to whom was referred House bill entitled

H. 61. An act to incorporate the Swanton Falls Manufacturing Company ;

Reported in favor of its passage ; thereupon said bill was read the third time and passed in concurrence.

Mr. Tabor, from the General Committee to whom was referred House bill entitled

H. 59. An act to incorporate the Danby Cemetery Association ;

Reported in favor of its passage ; whereupon said bill was read the third time and passed in concurrence.

Mr. Tabor, from the General Committee to whom was referred a bill entitled

S. 31. An act to incorporate the Bird Mountain Observatory Association ;

Reported in favor of its passage ; and thereupon said bill was

*Ordered to be engrossed and read the third time.*

Mr. Reed, from the Committee on the Judiciary to whom was referred a bill entitled

S. 32. An act to amend section seventy-three of chapter thirty of the General Statutes ;

Reported adversely to its printing ; thereupon said bill was referred to the Committee on the Judiciary.

Mr. Clement, from the Committee on Manufactures to whom was referred House bills entitled

H. 26. An act to incorporate the Washington Slate and Tile Company ;

H. 56. An act to incorporate the Windsor County Gold Mining Company;

Reported in favor of their passage; thereupon said bills were severally read the third time and passed in concurrence.

The President appointed, as the committee under the joint resolution relative to final adjournment,

Senator Howe of Rutland,

" Chapman of Windsor.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate, that the House have considered a joint resolution from the Senate, providing for a final adjournment, and have adopted the same in concurrence.

The House have appointed, as a committee on final adjournment,

Mr. Nicholson of Wallingford,

" Brown of Vernon,

" Cowles of Ryegate.

On motion of Mr. Chapman, the Senate adjourned.

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TUESDAY, OCTOBER 31, 1865.

Prayer by Rev. Nelson Bishop, of Windsor.

Journal of yesterday was read and approved.

Mr. Taft introduced a bill entitled

S. 33. An act laying a tax on the county of Chittenden;

Which was read the first time, and the President referred said bill to the General Committee, to report to the Senate whether the provisions of section one of chapter three of the General Statutes, as to notice of application, had been complied with.

Mr. Tabor, from the General Committee to whom was referred a bill entitled

S. 24. An act annexing certain islands in Lake Memphremagog to the town of Derby, and authorizing their sale, together with a portion of Province island ;

Reported that they find that the required notice has not been given.

Mr. Taft introduced the following resolution, which was read and adopted :

*Resolved*, That in the opinion of the Senate, Senate bill No. 24, being "An act annexing certain islands in Lake Memphremagog to the town of Derby, and authorizing their sale, together with a portion of Province island," is not within the provisions of section one of chapter three of the Compiled Statutes ;

Thereupon said bill was read the second time, and referred to the Committee on the Judiciary.

Engrossed bill entitled

S. 31. An act to incorporate the Bird Mountain Observatory Association ;

Was read the third time. Mr. Dorr moved that the bill be committed to a senator to amend in section one, line twenty-two, by inserting after the word "Rutland" the words, *Thomas McLaughlin of Clarendon* ;

Which was agreed to ; and the President designated Mr. Dorr as the senator to whom the bill should be committed for amendment.

Mr. Dorr, to whom was committed engrossed bill entitled

S. 31. An act to incorporate the Bird Mountain Observatory Association ;

Reported said bill amended agreeably to the instructions of the Senate,

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have adopted on their part a joint resolution in relation to the appointment of Thanksgiving ;

In the adoption of which the concurrence of the Senate is requested.

The House have passed bills of the following titles :

H. 37. An act laying a tax on lands in Goshen Gore ;

H. 43. An act relating to the collection of taxes in unorganized towns and gores ;

In the passage of which the concurrence of the Senate is requested:

Mr. Reed introduced a bill entitled

S. 34. An act for the extinguishment of unorganized towns and gores;

Which was read the first and second time; and referred to the Committee on Printing.

A joint resolution from the House of Representatives:

WHEREAS, The President of the United States has appointed the first Thursday of December next to be observed as a day of National Thanksgiving by the people of the United States, that our country has been relieved from the fearful scourge of war, and for the blessings of peace; therefore,

*Resolved by the Senate and House of Representatives,* That the Governor be and he hereby is requested to appoint the same day to be observed by the people of this State as the day of their annual Thanksgiving;

Which was read and adopted on their part.

House bills of the following titles were severally read the first and second time, and referred, to wit:

H. 37. An act laying a tax on lands in Goshen Gore;

H. 43. An act relating to the collection of taxes in unorganized towns and gores;

To the Committee on the Judiciary.

Mr. Reed, from the Committee on Printing to whom was referred a bill entitled

S. 34. An act for the extinguishment of unorganized towns and gores;

Reported the same, recommending the printing of three hundred and fifty copies; and the bill was

*Ordered to lie and be printed.*

On motion of Mr. Allen, the Senate adjourned.

## AFTERNOON.

A joint resolution from the House of Representatives, relating to final adjournment, was taken up; and the question being, Shall the resolution be adopted in concurrence? it was decided in the negative.

A joint resolution from the House of Representatives, providing for a Legislative Directory, was taken up; and the question being, Shall the resolution be adopted in concurrence? it was decided in the negative.

The joint resolutions of instruction to our senators and representatives, relative to a uniform rate of interest and additional banking capital for Vermont, were taken up.

Mr. Taft moved to amend the first resolution by striking out all after the word "will," in the sixth line, and before the word "allow," in the twelfth line;

Which was agreed to.

Mr. Smith moved to strike out in the fifth and sixth lines of the second resolution, the words "and to the Secretary of the Treasury";

Which was agreed to.

The question being, Shall the resolutions, as amended, be adopted on the part of the Senate? it was decided in the negative.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered a joint resolution from the Senate asking an appropriation of lands by Congress to endow female colleges in the several states;

And have adopted the same in concurrence.

The House have considered Senate bill entitled

S. 3. An act to incorporate the Home for Destitute Children at Burlington;

And have passed the same in concurrence.

The House have passed a bill entitled

H. 102. An act making appropriation for defraying the expense of completing the Gettysburg Cemetery;

In the passage of which the concurrence of the Senate is requested.

House bill entitled

H. 102. An act making appropriation for defraying the expense of completing the Gettysburg Cemetery;

Was read the first and second time, and referred to the Committee on Finance.

Senate bill entitled

S. 30. An act relating to the duties of teachers of common schools;

Was taken up, having been printed, and referred to the Committee on Education.

Mr. Crane introduced a bill entitled

S. 35. An act to incorporate the Camel's Hump Hotel Company;

Which was read the first and second time, and referred to the General Committee.

Senate bill entitled

S. 6. An act repealing the act creating and establishing the office of Railroad Commissioner;

Was taken up for consideration. Mr. Chapman moved to amend by striking out section two, and substituting the following:

*Sec. 2. This act shall take effect on the 1st day of December, 1866;*

Which was agreed to; and the bill was

Ordered to be engrossed, and read the third time to-morrow afternoon.

Mr. Porter, from the General Committee to whom was referred House bills entitled

H. 29. An act to incorporate the Winooski Aqueduct Company;

H. 40. An act to incorporate the North Bennington Hotel Company;

H. 60. An act to incorporate the Rochester Hotel Company;

H. 69. An act to incorporate the Cabot Hotel Company;

H. 75. An act to incorporate the Winooski Marble Company;

Reported in favor of their passage; and thereupon said bills were severally read the third time and passed in concurrence.

Mr. Richmond, from the Committee on Agriculture to whom was referred House bill entitled

H. 22. An act to protect cheese manufacturers;

Reported in favor of its passage; whereupon the bill was read the third time and passed in concurrence.

Mr. Tabor, from the General Committee to whom was referred a bill entitled

S. 33. An act laying a tax on the county of Chittenden;

Reported that the notice required by section one, chapter three, of the General Statutes, had been complied with. Thereupon the bill was read the second time, and, on motion of

Mr. Chapman, was referred to a select committee consisting of the senators from the county of Chittenden.

On motion of Mr. Taft, a bill entitled:

S. 18. An act to amend an act entitled "An act to incorporate the city of Burlington," approved November 22, 1864;

Was taken up, and recommitted to the General Committee, to report to the Senate whether section one of chapter three of the General Statutes, had been complied with as to notice of application.

Mr. Upham, from the General Committee to whom was referred a bill entitled:

S. 12. An act determining the liabilities of persons erecting fences within the limits of the highway;

Reported the same, recommending that the bill be amended in section one, line four, by inserting after the word "shall," the words, *at all times when the public travel is over such highway;*

Which was agreed to.

Also in section one, line six, strike out all after the word "from," and insert in lieu thereof the words, *obstructions by snow drifts which may be a hindrance;*

Which was agreed to; and the bill, as amended, was

Ordered to be engrossed, and read the third time to-morrow morning.

Mr. Upham, from the General Committee to whom was referred a bill entitled

S. 27. An act to amend the charter of the Burlington Aqueduct Company;

Reported in favor of its passage; and thereupon said bill was

Ordered to be engrossed and read the third time.

On motion of Mr. Porter, the Senate adjourned.

WEDNESDAY, NOVEMBER 1, 1865.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

House bill entitled

H. 4. An act laying a tax on the county of Essex for repairing the jail and building a jail house in the county ;

Was read the first and second time, and, on motion of Mr. Chapman, referred to a select committee, consisting of the senators from the county of Essex.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills originating in the House, of the following titles :

H. 12. An act to incorporate the Rochester Cemetery Association ;

H. 21. An act to incorporate the Bennington Manufacturing Company ;

H. 39. An act to legalize the grand list of the town of Ira ;

H. 45. An act to incorporate the village of Fairhaven ;

H. 51. An act to incorporate the Pittsford Marble Company.

The House have appointed as a committee, on their part, on joint resolution relating to military property of the United States now in possession of the State of Vermont,

Mr. Harris of Windham,

" Barlow of St. Albans,

" Sylvester of Barnet.

The House have passed bills of the following titles :

H. 13. An act to incorporate the Vermont and New York Railroad Company ;

H. 50. An act amending section six of chapter one of the General Statutes ;

H. 62. An act amending section four of chapter nine of the General Statutes ;

H. 80. An act to incorporate the Brattleboro Manufacturing Company ;

H. 89. An act in amendment of section eighty-four of chapter twenty-eight of the General Statutes, relating to railroads ;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 10. An act to incorporate the Caledonia Manufacturing Company ;

• And have concurred therein.

House bills of the following titles were severally read the first and second time, and referred, to wit :

H. 13. An act to incorporate the Vermont and New York Railroad Company ;

H. 89. An act in amendment of section eighty-four of chapter twenty-eight of the General Statutes, relating to railroads ;

To the Committee on Roads.

H. 50. An act amending section six of chapter one of the General Statutes ;

H. 62. An act amending section four of chapter nine of the General Statutes ;

To the Committee on the Judiciary.

H. 80. An act to incorporate the Brattleboro Manufacturing Company ;

To the Committee on Manufactures.

Mr. Smith introduced a bill entitled

S. 36. An act to incorporate the Green Mountain Silver Mining Company ;

Which was read the first and second time, and referred to the Committee on Manufactures.

Mr. Dorr introduced a bill entitled

S. 37. An act to incorporate the Silver Mining Company of Nevada ;

Which was read the first and second time, and referred to the Committee on Manufactures.

Mr. Hutchinson introduced a bill entitled

S. 38. An act to incorporate the First Congregational Society of West Randolph ;

Which was read the first and second time, and referred to the General Committee.

Mr. Reed, from the Committee on the Judiciary to whom was referred a bill entitled

S. 24. An act annexing certain islands in Lake Memphremagog to the town of Derby, and authorizing their sale, together with a portion of Province island ;

Reported in favor of its passage ; and thereupon the bill was *Ordered* to be engrossed, and read the third time.

Mr. Reed, from the Committee on the Judiciary to whom was referred House<sup>e</sup> bill entitled

H. 44. An act to legalize the grand list for the gores and unorganized towns in the county of Essex for the year 1865 ;

Reported in favor of its passage ; whereupon said bill was read the third time, and passed in concurrence.

Mr. Chapman, from the Committee on Finance to whom was referred House bill entitled

H. 102. An act making appropriation for defraying the expense of completing the Gettysburg Cemetery ;

Reported in favor of its passage ; whereupon said bill was read the third time, and passed in concurrence.

Mr. Tabor, from the General Committee to whom was referred a bill entitled

S. 18. An act to amend an act entitled " An act to incorporate the city of Burlington," approved November 22, 1864 ;

Reported that the provisions of section one of chapter three of the General Statutes, had been complied with as to notice.

Engrossed bills of the following titles were severally read the third time and passed :

S. 12. An act determining the liabilities of persons erecting fences within the limits of highways ;

S. 27. An act to amend the charter of the Burlington Aqueduct Company.

On motion of Mr. Taft, the Senate adjourned.

## AFTERNOON.

Mr. Howe, from the joint committee on final adjournment, presented the following report :

*To the Senate now in session :*

The committee appointed under the authority of a joint

resolution for the purpose of fixing upon the earliest day practicable with the necessary business of the session, for the final adjournment of the General Assembly, respectfully report, that they have attended to the duty assigned them, and are of the opinion that, by diligent attention to the business of the session, the General Assembly can complete the business before it within ten days from this date. The committee therefore report the following joint resolution, and recommend its adoption.

JOHN HOWE, JR., for Committee.

A joint resolution reported by the committee on final adjournment :

*Resolved by the Senate and House of Representatives,* That the President of the Senate, and Speaker of the House, declare the respective Houses over which they preside, adjourned without day, at twelve o'clock, noon, of Thursday, the ninth of November ;

Was read, and, on motion of Mr. Crane,  
*Ordered* to lie.

Mr. Hutchinson, from the Committee on Roads to whom was referred House bill entitled

H. 13. An act to incorporate the Vermont and New York Railroad Company ;

Reported in favor of its passage ; and the question being, Shall the bill be read the third time ? Mr. Dorr raised the point of order : whether notice had been given in compliance with section one of chapter three of the General Statutes.

The Chair decided that the evidence of notice should appear. Thereupon the chairman of the committee made explanations to the Senate as to the notice given. The Chair stated to the Senate that it would be taken to be the sense of the Senate that the statutory provision had been complied with unless objection be made. No objection being made, the bill was read the third time, and passed in concurrence.

A message was received from his Excellency, the Governor, by Mr. Gay, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor to inform the Senate that he has approved and signed bills, originating in the Senate, of the following titles :

S. 2. An act relating to offenses against private property ;

S. 3. An act to incorporate the Home for Destitute Children at Burlington;

S. 5. An act to incorporate the Wilmington Cornet Band;

S. 9. An act in amendment of section forty-two of chapter one hundred and twenty-six of the General Statutes, in relation to the fees of town clerks.

Mr. Soule, from the Committee on Roads to whom was referred House bill entitled

H. 89. An act in amendment of section eighty-four of chapter twenty-eight of the General Statutes, relating to railroads;

Reported in favor of its passage; and thereupon the bill was *Ordered* to be read the third time to-morrow morning.

Mr. Tabor, from the General Committee to whom was referred a bill entitled

S. 35. An act to incorporate the Camel's Hump Hotel Company;

Reported in favor of its passage; and thereupon the bill was *Ordered* to be engrossed and read the third time.

On motion of Mr. Barrett, House bill entitled

H. 65. An act to pay the town of Stockbridge the sum therein named;

Was taken up, considered, and, on motion of Mr. Crane, *Ordered* to lie.

Mr. Howe introduced a bill entitled

S. 39. An act to incorporate the Brandon Aqueduct Company;

Which was read the first and second time, and referred to the General Committee.

Mr. Tabor, from the General Committee to whom was referred a bill entitled

S. 38. An act to incorporate the First Congregational Society of West Randolph;

Reported in favor of its passage; and thereupon the bill was *Ordered* to be engrossed and read the third time.

Mr. Clement, from the Committee on Manufactures to whom was referred House bill entitled

H. 49. An act to incorporate the Red Mountain Manufacturing Company;

Reported in favor of its passage; whereupon the bill was read the third time and passed in concurrence.

Engrossed bill entitled

S. 6. An act repealing the act creating and establishing the office of Railroad Commissioner;

Was read the third time. The question being, Shall the bill pass? it was decided in the negative.

On motion of Mr. Reed, the order for the engrossment and third reading of a bill entitled

S. 35. An act to incorporate the Camel's Hump Hotel Company;

Was reconsidered. Mr. Reed proposed to amend the bill in section one, line eight, by inserting after the word "company," the words, *of Huntington*.

The question being, Shall the amendment be adopted? it was decided in the negative—yeas 9, nays 13.

Mr. Reed having demanded the yeas and nays, they were taken, and are as follows:

Those senators who voted in the affirmative are Messrs.

Allen,  
Chapman,  
Clement,

Cochran,  
Doton,  
Henry,

Hutchinson,  
Reed,  
Richmond—9.

Those senators who voted in the negative are Messrs.

Crane,  
Dorr,  
Gay,  
Hobart,  
Ide,

Meecham,  
Park,  
Porter,  
Rublee,

Smith,  
Soule,  
Tabor,  
Upham—13.

So the amendment was disagreed to; and thereupon the bill was

*Ordered* to be engrossed and read the third time.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills, originating in the House, of the following titles:

H. 26. An act to incorporate the Washington Slate and Tile Company;

H. 35. An act in amendment of an act incorporating the Green Mountain Central Institute;

H. 42. An act to incorporate the Fairhaven Hotel Company;

H. 56. An act to incorporate the Windsor County Gold Mining Company;

H. 59. An act to incorporate the Danby Cemetery Association;

H. 61. An act to incorporate the Swanton Falls Manufacturing Company;

H. 73. An act to incorporate the Wantastiquet Hotel Company.

The House have adopted, on their part, a joint resolution fixing the day for final adjournment,

In the adoption of which the concurrence of the Senate is requested.

The House have passed bills of the following titles :

H. 92. An act to legalize the grand list of the town of Westfield for the year 1864 ;

H. 104. An act to prevent taking shad or white fish in Lake Champlain or its tributaries ;

H. 117. An act authorizing the St. Albans Hotel Company to issue bonds ;

In the passage of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second time and referred, to wit :

H. 92. An act to legalize the grand list of the town of Westfield for the year 1864 ;

H. 104. An act to prevent taking shad or white-fish in Lake Champlain or its tributaries ;

H. 117. An act authorizing the St. Albans Hotel Company to issue bonds ;

To the Committee on the Judiciary.

A joint resolution from the House of Representatives :

*Resolved by the Senate and House of Representatives,*  
That the President of the Senate, and Speaker of the House, declare their respective Houses adjourned without day, at twelve o'clock, noon, on Thursday, the ninth day of November, instant ;

Was read. Mr. Crane moved that the resolution be

*Ordered* to lie,

Which was disagreed to ; and the resolution was adopted in concurrence.

Mr. Chapman introduced a bill entitled

S. 40. An act in relation to corporations ;

Which was read the first and second time, and referred to the Committee on Printing.

A bill entitled

S. 34. An act for the extinguishment of the unorganized towns and gores ;

Having been printed, was taken up and referred to the Committee on the Judiciary.

Mr. Dorr, from the Committee on Bills, submitted the following report :

*To the Senate now in session:*

The Committee on Bills respectfully report that they have presented to the Governor the following bills for his approval, entitled

S. 11. An act to incorporate the Mount Mansfield Railroad Company ;

S. 4. An act to incorporate the West Concord Manufacturing Company ;

[Delivered to the Governor October 28th.]

S. 3. An act to incorporate the Home for Destitute Children at Burlington ;

S. 2. An act relating to offenses against private property ;

S. 5. An act to incorporate the Wilmington Cornet Band ;

S. 9. An act in amendment of section forty-two of chapter one hundred and twenty-six of the General Statutes, in relation to the fees of town clerks ;

S. 10. An act to incorporate the Caledonia Manufacturing Company.

SENECA M. DORR, for Committee.

On motion of Mr. Dorr, the Senate adjourned.

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THURSDAY, NOVEMBER 2, 1865.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr. Cochran, from the Committee under the Fourth Joint Rule to whom was referred the report of the trustees of the Vermont Agricultural College, and accompanying documents, reported that they had had the same under consideration, and recommend the passage of the accompanying bill.

A bill entitled

S. 41. An act to incorporate the University of Vermont and State Agricultural Colleges ;

Was read the first and second time. The question being,

Shall the bill be engrossed and read the third time? Mr. Dorr moved to amend in section three, line one, by striking out the word "seven," and insert in lieu thereof the words, *a majority*; which was agreed to.

Mr. Dorr moved to further amend by adding the following words to section nine: *seasonable notice of said appointment having been first given to each of the trustees or corporators of the Vermont University and the Vermont Agricultural College*; which was agreed to; and, on motion of Mr. Dorr, the bill was

*Ordered to lie.*

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have adopted on their part a joint resolution granting the use of the Representatives' Hall to Rev. A. W. Eastman,

In the adoption of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 17. An act for establishing town libraries;

And have passed the same in concurrence.

The House have passed bills of the following titles:

H. 74. An act to incorporate the Vermont Conference Seminary and Female College;

H. 76. An act relating to the pay of town superintendents of common schools;

H. 79. An act giving additional compensation to the Secretary of the Board of Education;

H. 90. An act to incorporate the Green Mountain Glass Company;

H. 116. An act in amendment of section fourteen, chapter eighty-nine, of the General Statutes, relating to banks;

H. 128. An act to incorporate the Brattleboro Woolen Company;

In the passage of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second time and referred, to wit:

H. 74. An act to incorporate the Vermont Conference Seminary and Female College;

H. 76. An act relating to the pay of town superintendents of common schools;

H. 79. An act giving additional compensation to the Secretary of the Board of Education ;

To the Committee on Education.

H. 90. An act to incorporate the Green Mountain Glass Company ;

H. 128. An act to incorporate the Brattleboro Woolen Company ;

To the Committee on Manufactures.

H. 116. An act in amendment of section fourteen of chapter eighty-nine of the General Statutes relating to banks ;

To the Committee on Banks.

A joint resolution from the House of Representatives :

*Resolved by the Senate and House of Representatives,*  
That the use of the Representatives' Hall on this (Thursday) evening, be granted to Rev. A. W. Eastman for the purpose of delivering a lecture on the past and present condition of the freedmen ;

Which was read and adopted in concurrence.

Mr. Howe introduced a bill entitled

S. 42. An act to incorporate the Brandon Mineral Paint Company ;

Which was read the first and second time, and referred to the Committee on Manufactures.

Mr. Upham, from the General Committee to whom was referred a bill entitled

S. 34. An act to incorporate the Brandon Aqueduct Company ;

Reported in favor of its passage ; and thereupon said bill was

*Ordered* to be engrossed and read the third time.

House bill entitled

H. 89. An act in amendment of section eighty-four of chapter twenty-eight of the General Statutes, relating to railroads ;

Was read the third time and passed in concurrence.

Engrossed bill entitled

S. 35. An act to incorporate the Camel's Hump Hotel Company ;

Was read the third time and passed.

Engrossed bill entitled

S. 18. An act to amend an act entitled " An act to incorporate the city of Burlington," approved November 22, 1864 ;

Was read the third time and passed.

Mr. Reed introduced a joint resolution as follows :

*Resolved by the Senate and House of Representatives,*  
The Adjutant and Inspector General is hereby authorized to distribute nine hundred and fifty copies of his Report for the year 1864, now in his office, as follows :

To the State Library, one hundred and twenty-five copies ; to the Secretary of State, to be preserved in his office, fifty copies ; to the Historical Society of this State, one hundred copies ; to the Governor for his use, or distribution by him in his discretion, twenty-five copies ; to each member of the Senate and House of Representatives of the present session, who was not a member at the last session, one copy ; to the Adjutant and Inspector General, to be preserved in his office for the use of the office, one hundred copies. The remainder to be distributed among the citizens of this State generally, giving preference as far as practicable, to those who have been in the military service of the United States ;

Which was read, and, on motion of Mr. Taft,

*Ordered* to lie.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 50. An act amending section six of chapter one of the General Statutes ;

Reported adversely to its passage ; and thereupon the third reading of the bill was refused.

On motion of Mr. Soule, the Senate adjourned.

## AFTERNOON.

Engrossed bill entitled

S. 24. An act annexing certain islands in Lake Memphremagog to the town of Derby, and authorizing their sale, together with a portion of Province island ;

Was read the third time and passed.

Mr. Dorr, from the Committee on Education to whom was referred a bill entitled

S. 20. An act to amend sections eighty-three and eighty-six of chapter twenty-two of the General Statutes, relating to the distribution of school moneys ;

Reported the same, recommending that the bill be amended as follows :

*First*, In section one, line two, insert after the word "follows," the words, *one-fourth part of*; which was agreed to.

*Second*, In section one, line ten, after the word "districts," insert the words, *in such town equally, without regard to the number of scholars such districts may contain, and the remainder shall be divided between such districts*; which was agreed to.

*Third*, In section one, line fourteen, after the word "the," insert the word *common*; which was agreed to.

*Fourth*, In section one, line thirty-one, after the word "of," strike out the word "four," and insert the word *two*;

*Fifth*, Strike out all of section two after the word "follows," in the ninth line, and insert as follows :

*First*, *Of that part which by the provisions of this chapter is to be equally divided among the districts, such sum as is in the proportion to the sum severally received by the other districts in such town which the number of children in such districts, residing in such town, bears to the whole number of children in such district*;

*Second*, *Of that part which is required to be divided among the districts, in proportion to the aggregate attendance of the scholars of such districts, between the ages of four years and twenty years, such district shall receive such sums as will be in proportion to the whole sum to be divided in such town which the aggregate attendance of children in such district residing in such town, bears to the aggregate attendance of the whole number of children in such town, and the clerk of such district shall make returns to the town clerk in each town, specifying the number of children in each district between the ages of four years and twenty years, the number residing in each of the towns composing such districts, the aggregate attendance of children in such district, residing in each town, and also the aggregate attendance of the whole number of children in such district*;

Which was agreed to; and thereupon the bill, as amended, was

Ordered to be engrossed, and read the third time to-morrow afternoon.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have considered a bill entitled

S. 13. An act to confirm certain decrees of the court of chancery;

And have passed the same in concurrence, with a proposal of amendment,

In the adoption of which the concurrence of the Senate is requested.

The House have passed a bill entitled

H. 119. An act to incorporate the Rutland and Woodstock Railroad Company;

In the passage of which the concurrence of the Senate is requested.

Engrossed bill entitled

S. 13. An act to confirm certain decrees of the court of chancery;

Was taken up, having been returned from the House of Representatives, with a proposal of amendment as follows:

To strike out all of the said bill but the enacting clause, and insert the following:

**SEC. 1.** WHEREAS, The court of chancery of this State, in the case of the Vermont and Canada Railroad Company, *versus* the Vermont Central Railroad Company and others, did, on the 7th day of September, A. D. 1865, order and direct as follows, namely:

The foregoing petition having been ordered to stand over for hearing thereon, from August 31st until this 7th day of September, 1865, and the order of notice aforesaid having been fully complied with, and the said Vermont and Canada Railroad Company having appeared by L. B. Peck, its solicitor, and by a majority of its directors, and said Vermont Central Company, by Geo. F. Edmunds, its solicitor, and said Andrews, Pinkerton and W. C. Smith, having appeared in person, and Robert F. Taylor and others, having by a communication in writing from E. J. Phelps, their solicitor, informed the court that they do not object to granting the prayer of said petition, and counsel having been heard thereon, and it being now upon due consideration, made manifest to the court that the matters stated and set forth in said petition are true; it is now, thereupon, ordered and directed that the said receivers and managers be authorized and empowered to borrow such sum not exceeding in the whole seven hundred thousand dollars, as shall, in their judgment,

be necessary for the uses and purposes set forth in said petition; and in order to raise said money, if practicable, without embarrassing or suspending the payment of rents, dividends, or interest named in the decrees heretofore passed in this cause, it is further ordered and directed that said receivers and managers be authorized and empowered as such, and free from personal liability in respect thereto, to issue and dispose of their promissory notes for such sums, and on such time or times, not exceeding ten years from the date thereof, and at such rate of interest not exceeding eight per cent. per annum, free from the income tax, so called, and payable at such places and times, both as to principal and interest, as they shall judge expedient, and specially to pledge and secure a lien upon to the holders of all such notes, equally and ratably, the engines and cars which have been added to the equipment of said line, since January 1, 1864, together with all the cars and engines, to be purchased and provided with the funds so raised, as aforesaid, for the ultimate repayment of said loan, notes and interest, and to set aside, from year to year, as a fund wherewith primarily, to meet and liquidate said interest and principal, as the same may become due, the car service, so called, of all said engines and cars, so specially pledged, and to be pledged, for the security of said loan, notes and interest, and said sum so set aside shall be used to pay off said interest as it accrues and becomes due, and the balance of said sums, so to be set aside, shall, after liquidating such interest, be and constitute a sinking fund to accumulate and be kept separate from the general assets of said receivers and managers wherewith to pay off and extinguish ratably, as aforesaid, said loan and notes as they become due.

And said receivers and managers, may, in their discretion, in the management of said sinking fund, either use the same, from time to time, to buy up and extinguish any of said notes before due, or invest the same, from time to time, in public securities. And in the event that said notes shall not all be fully paid off, or retired at or before their maturity, or if said interest shall not be paid, from time to time, as it shall fall due, the holders of all or any of such dishonored notes, shall be at liberty to apply to this court, for relief in the premises in this cause, by the enforcement and realization of their securities, and if said funds shall exceed an amount sufficient to pay off all said notes and interest, then such residue, as

well as said cars and engines, shall fall into and become a part of the general funds and assets of said receivers and managers, and all payments upon and securities for said notes and interest shall be shared in by, and made to the holders of said notes equally and ratably, and in case said receivers and managers shall not be able to raise and obtain the aforesaid necessary sums of money in the manner aforesaid, they shall be at liberty and are hereby authorized to make such temporary loans as shall be needful, as aforesaid, in the premises, and on the credit of the funds and assets of said receivership and management, and to repay the same with interest, and necessary expenses, out of any earnings accruing, accrued, or to accrue from the business of said line at any time, and to use and appropriate for the needful purposes aforesaid, all of such earnings as may be required.

*Now therefore*, the provisions of the aforesaid decree in said cause are hereby ratified and confirmed in all respects.

SEC. 2. This act shall take effect from its passage.

Which was adopted in concurrence.

House bill entitled

H. 119. An act to incorporate the Rutland and Woodstock Railroad Company;

Was read the first and second time, and referred to the Committee on Roads.

Mr. Clement, from the Committee on Manufactures to whom was referred House bill entitled

H. 80. An act to incorporate the Brattleboro Hotel Company;

Reported in favor of its passage; and thereupon said bill was read the third time and passed in concurrence.

House bills of the following titles were severally read the third time, and passed in concurrence:

H. 90. An act to incorporate the Green Mountain Glass Company;

H. 128. An act to incorporate the Brattleboro Woolen Company.

Mr. Dorr introduced a bill entitled

S. 43. An act to protect fish in Beaver Pond;

Which was read the first and second time, and referred to the General Committee.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 117. An act authorizing the St. Albans Hotel Company to issue bonds ;

Reported in favor of its passage ; and thereupon said bill was read the third time, and passed in concurrence.

Mr. Taft, from the Committee on the Judiciary to whom was referred House bill entitled

H. 8. An act in addition to chapter twenty-five of the General Statutes, entitled "Of repairs of highways and bridges" ;

Reported in favor of its passage ; and thereupon said bill was *Ordered* to be read the third time to-morrow morning.

Mr. Reed, from the Committee on the Judiciary to whom was referred Senate bill entitled

S. 34. An act for the extinguishment of unorganized towns and gores ;

Reported the same, recommending that the bill be amended in section one, line eight, by inserting after the word "practicable," the words, *and expedient* ;

Which was agreed to ; and the bill, as amended, was

*Ordered* to be engrossed, and read the third time to-morrow afternoon.

Mr. Tabor, from the select committee to whom was referred House bill entitled

H. 4. An act laying a tax on the county of Essex for repairing the jail and building a jail house in the county ;

Reported in favor of its passage ; and thereupon said bill was read the third time, and passed in concurrence.

Mr. Hobart, from a select committee consisting of the senators from Chittenden county, to whom was referred a bill entitled

S. 33. An act laying a tax on the county of Chittenden ;

Reported in favor of its passage ; and thereupon said bill was

*Ordered* to be engrossed and read the third time.

On motion of Mr. Crane, the vote refusing the passage of engrossed bill entitled

S. 6. An act repealing the act creating and establishing the office of Railroad Commissioner ;

Was reconsidered ; and the question being, Shall the bill pass ? it was decided in the affirmative—yeas 15, nays 12.

The yeas and nays having been demanded by Mr. Reed, were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Barrett,  
Chapman,  
Dorr,  
Dotson,  
Gay,

Henry,  
Hobart,  
Howe,  
Hyde,  
Ide,

Mescham,  
Reed,  
Rublee,  
Soule,  
Upham—15.

Those senators who voted in the negative are Messrs.

Abbott,  
Allen,  
Clement,  
Cochran,

Crane,  
Hutchinson,  
Park,  
Porter,

Richmond,  
Smith,  
Tabor,  
Taft—12.

So the bill was passed:

Mr. Chapman introduced the following resolution:

*Resolved*, That the Committee on Banks be and they are hereby instructed to inquire and report to the Senate, whether any law is demanded to make the taxation of the bank stock of the different banking institutions in this State equal, or in what manner said stock shall be set in the lists of the towns in this State—where the bank may be located or where the stockholders may reside;

Which was read and adopted.

Mr. Taft, from the Committee on the Judiciary to whom was referred House bill entitled

H. 63. An act to legalize the grand list of the town of Stockbridge for the year 1864;

Reported the same, recommending that the Senate propose to the House to amend by adding at the end of section three, the words, *but shall have no effect upon any suit now pending*;

Which was agreed to; whereupon the bill was read the third time and passed in concurrence, with a proposal of amendment.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 68. An act to legalize the grand list of the town of Lemington for the years 1864 and 1865;

Reported the same, recommending to the Senate, that the Senate propose to the House to amend by adding to section two, the words, *but shall not affect any suit now pending*;

Which was agreed to; whereupon the bill was read the third time and passed in concurrence, with a proposal of amendment.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 50. An act amending section six of chapter one of the General Statutes;

Reported adversely to its passage ; and thereupon the third reading of said bill was refused.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 43. An act relating to the collection of taxes in un-organized towns and gores ;

Reported the same, recommending that the Senate propose to the House to amend in section one, line three, by striking out the figures, "1861," and inserting in lieu thereof the figures, 1862 ;

Which was agreed to ; and the bill was

*Ordered* to be read the third time to-morrow afternoon.

Mr. Reed, from the Committee on Printing to whom was referred a bill entitled

S. 40. An act in relation to corporations ;

Reported the same, recommending the printing of three hundred and fifty copies ; and thereupon said bill was

*Ordered* to lie and be printed.

On motion of Mr. Howe, the Senate adjourned.

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FRIDAY, NOVEMBER 3, 1865.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr. Abbott introduced a bill entitled

S. 44. An act to incorporate the McLeran Manufacturing Company ;

Which was read the first and second time, and referred to the Committee on Manufactures.

Mr. Hutchinson introduced a bill entitled

S. 45. An act relating to the circulation of banks becoming banking associations under the laws of the United States ;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Upham introduced a bill entitled

S. 46. An act incorporating the Chittenden Marble Company ;

Which was read the first and second time, and referred to the Committee on Manufactures.

Mr. Henry introduced the following joint resolution :

*Resolved by the Senate and House of Representatives,* That the Quartermaster General be directed to place under the colors of each regiment and battery, displayed in the Capitol, a tablet in proper form, containing the names of the engagements in which such organizations have participated ;

Which was read, and adopted on the part of the Senate.

Mr. Reed introduced the following joint resolution :

*Resolved by the Senate and House of Representatives,* That the trustees of the State library are hereby requested and authorized to purchase for the library, all the volumes of the reports of the courts of the several states, that are necessary to complete the defective sets of reports now in the library ;

Which was read the first and second time, and referred to the Joint Committee on the Library.

Mr. Hutchinson, from the Committee on Roads to whom was referred House bill entitled

H. 119. An act to incorporate the Rutland and Woodstock Railroad Company ;

Reported in favor of its passage ; and thereupon said bill was read the third time and passed in concurrence.

Mr. Chapman introduced the following resolution :

*Resolved,* That the Committee on Military Affairs be, and they are hereby instructed to inquire and report to the Senate, whether it may not better comport with the dignity of the State and the merits of the subject, to direct the Sergeant-at-Arms to prepare and set apart some appropriate room in the Capitol building, or elsewhere, in which the State flags, now pendant from the pillars of the Senate Chamber and Hall of the House, may be deposited, arranged and kept, and in which, also, such emblems of our success in the late rebellion, and the trophies of our victorious troops, may be fittingly arranged and properly preserved ;

Which was read and adopted.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 62. An act amending section four of chapter nine of the General Statutes ;

Reported the same, recommending that the Senate propose to the House to amend by striking out all of said bill, including the title, and substituting for the same, the following bill and title :

*An act to repeal section four of chapter nine of the General Statutes.*

*It is hereby enacted by the General Assembly of the State of Vermont:*

*Sec. 1. Section four of chapter nine of the General Statutes is hereby repealed;*

Which was agreed to ; whereupon the bill was read the third time and passed in concurrence, with a proposal of amendment.

Mr. Barrett, from the Committee on Education to whom was referred a bill entitled

S. 26. An act relating to the duties of school district clerks ;

Reported in favor of its passage ; and thereupon said bill was

*Ordered* to be engrossed, and read the third time to-morrow morning.

Mr. Smith, from the Committee on Banks to whom was referred House bill entitled

H. 116. An act in amendment of section fourteen of chapter eighty-nine of the General Statutes, relating to banks ;

Reported in favor of its passage ; and thereupon said bill was

*Ordered* to be read the third time to-morrow morning.

Mr. Cochran, from the Committee on Manufactures to whom was referred Senate bill entitled

S. 36. An act to incorporate the Green Mountain Silver Mining Company ;

Reported in favor of its passage ; and thereupon said bill was

*Ordered* to be engrossed and read the third time.

On motion of Mr. Taft, a joint resolution providing for the distribution of the Adjutant and Inspector General's Report for the year 1864,

Was taken up. Mr. Taft moved to amend by inserting after the word "copies," in line fifteen, the following : *to the University of Vermont, Middlebury College, Norwich*

*University, the town library in the village of St. Albans, the Young Men's Association in Burlington, and any other public library in this State applying for the same, prior to December 1st, 1865, three copies each; to the Vermont Agricultural College, twenty-five copies;*

Which was considered; and, on motion of Mr. Pennock, was

*Ordered to lie.*

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills, originating in the House, of the following titles:

H. 13. An act to incorporate the Vermont and New York Railroad Company;

H. 22. An act to protect cheese manufacturers;

H. 29. An act to incorporate the Winooski Aqueduct Company;

H. 40. An act to incorporate the North Bennington Hotel Company;

H. 44. An act to legalize the grand list for the gores and unorganized towns in the county of Essex for the year 1865;

H. 49. An act to incorporate the Red Mountain Manufacturing Company;

H. 60. An act to incorporate the Rochester Hotel Company;

H. 69. An act to incorporate the Cabot Hotel Company;

H. 75. An act to incorporate the Winooski Marble Company;

H. 89. An act in amendment of section eighty-four of chapter twenty-eight of the General Statutes, relating to railroads;

H. 102. An act making an appropriation for defraying the expense of completing the Gettysburg Cemetery.

The House have adopted on their part a joint resolution giving directions to the Curator of the Cabinet,

In the adoption of which the concurrence of the Senate is requested.

The House have passed Senate bills entitled

S. 16. An act to incorporate the Farmingdale Marble Company;

S. 27. An act to amend the charter of the Burlington Aqueduct Company.

The House have passed bills of the following titles :

H. 19. An act to amend section thirty-two of chapter one hundred and twenty-six of the General Statutes, relating to fees of sheriffs and constables ;

H. 32. An act to incorporate the Vermont Gold Mining Company.

Mr. Soule introduced a bill entitled

S. 47. An act in relation to circus exhibitions ;

Which was read the first and second time, and referred to the Committee on Printing.

House bills of the following titles were severally read the first and second time and referred, to wit :

H. 19. An act to amend section thirty-two, chapter one hundred and twenty-six, of the General Statutes, relating to fees of sheriffs and constables ;

To the Committee on the Judiciary.

H. 32. An act to incorporate the Vermont Gold Mining Company ;

To the Committee on Manufactures.

A joint resolution from the House of Representatives :

*Resolved by the Senate and House of Representatives,*  
That the Curator of the Cabinet be requested to acknowledge in suitable terms the receipt from N. P. Bowman, Esq., of a sample of the products raised on a Southern plantation by the freedmen, under the superintendence of a Vermonter, and to place the same in the Cabinet for preservation ;

Which was read, and, on motion of Mr. Chapman, referred to the Committee on Education.

House bill entitled

H. 8. An act in addition to chapter twenty-five of the General Statutes, entitled " Of repairs of highways and bridges " ;

Was read the third time and passed in concurrence.

On motion of Mr. Crane, the Senate adjourned.

#### AFTERNOON.

Senate bill entitled

S. 40. An act in relation to corporations ;

Having been printed, was taken up and referred to the Committee on the Judiciary.

Engrossed bills of the following titles were severally read the third time and passed :

S. 33. An act laying a tax on the county of Chittenden ;

S. 34. An act for the extinguishment of the unorganized towns and gores ;

S. 38. An act to incorporate the First Congregational Society of West Randolph.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate proposals of amendment to House bills entitled

H. 63. An act to legalize the grand list of the town of Stockbridge for the year 1864 ;

H. 68. An act to legalize the grand list of the town of Lemington for the years 1864 and 1865 ;

And have adopted the same in concurrence.

The House have considered Senate bill entitled

S. 14. An act in relation to weights and marks on casks and packages containing butter ;

And have not passed the same in concurrence.

The House have passed bills of the following titles :

H. 64. An act in amendment of chapter eighty-three of the General Statutes, entitled "Of the grand list" ;

H. 71. An act to pay Duron Whittlesey the sum therein mentioned ;

H. 96. An act in amendment of section sixteen of chapter twenty-two of the General Statutes, relating to common schools and school laws ;

H. 106. An act to incorporate the West Pawlet Dairy Association ;

H. 132. An act to legalize the grand list of the town of Brookfield for the year 1864 ;

H. 133. An act to incorporate the Brandon Marble Company ;

H. 142. An act to incorporate the Neshobee Hotel Company ;

H. 149. An act authorizing repairs on the State Prison sewer ;

In the passage of which the concurrence of the Senate is requested.

Mr. Upham, from the General Committee to whom was referred a bill entitled

S. 43. An act to protect fish in Beaver Pond ;  
Reported in favor of its passage ; and thereupon said bill  
was

*Ordered* to be engrossed and read the third time.

House bill entitled

H. 43. An act relating to the collection of taxes in unorganized towns and gores ;

Was read the third time and passed in concurrence, with a proposal of amendment.

Mr. Reed, from the Committee on Printing to whom was referred a bill entitled

S. 47. An act in relation to circus exhibitions ;

Reported the same, recommending the printing of three hundred and fifty copies ; and thereupon the bill was

*Ordered* to lie and be printed.

House bills of the following titles were severally read the first and second time, and referred, to wit :

H. 64. An act in amendment of chapter eighty-three of the General Statutes, entitled " Of the grand list " ;

To the Committee on Finance.

H. 96. An act in amendment of section sixteen of chapter twenty-two of the General Statutes, relating to common schools and school laws ;

To the Committee on Education.

H. 106. An act to incorporate the West Pawlet Dairy Association ;

To the Committee on Agriculture.

H. 132. An act to legalize the grand list of the town of Brookfield for the year 1864 ;

To the Committee on the Judiciary.

H. 133. An act to incorporate the Brandon Marble Company ;

To the Committee on Manufactures.

H. 142. An act to incorporate the Neshobee Hotel Company ;

To the General Committee.

H. 149. An act authorizing repairs on the State Prison sewer ;

To the Committee on Finance.

Mr. Hyde introduced a bill entitled

S. 48. An act to incorporate the Addison County Marble Company ;

Which was read the first and second time, and referred to the Committee on Manufactures.

Mr. Hyde introduced a bill entitled

S. 49. An act to incorporate the Rutland County Slate Company ;

Which was read the first and second time, and referred to the Committee on Manufactures.

Mr. Dorr, from the Committee on Education to whom was referred House bill entitled

H. 79. An act giving additional compensation to the Secretary of the Board of Education ;

Reported the same, recommending that the Senate propose to the House to amend in section one, line three, by adding after the word "actual," the word *necessary* ;

Which was agreed to ; and thereupon said bill was read the third time and passed in concurrence, with a proposal of amendment.

Mr. Clement, from the Committee on Manufactures to whom was referred a bill entitled

S. 46. An act to incorporate the Chittenden Marble Company ;

Reported in favor of its passage ; and thereupon said bill was

*Ordered* to be engrossed and read the third time.

Mr. Hyde moved that the vote passing House bill entitled

H. 79. An act giving additional compensation to the Secretary of the Board of Education ;

Be reconsidered ; and, on motion of Mr. Crane, the bill and motion were

*Ordered* to lie.

On motion of Mr. Taft, a joint resolution, providing for the distribution of the Adjutant and Inspector General's Report for 1864,

Was taken up. Mr. Taft asked and had leave to withdraw the amendment offered by him this morning.

Thereupon Mr. Taft offered the following as a substitute for said joint resolution :

*Resolved by the Senate and House of Representatives,* That the Adjutant and Inspector General is hereby directed to distribute the copies of his report, now remaining in his office, as follows :

To the Secretary of State, to be preserved in his office, fifty copies ; to the Historical Society of the State, one hun-

dred copies ; to the Governor, for his use, or distribution by him in his discretion, twenty-five copies ; to each member of the Senate and House of Representatives of the present session, who was not a member of the last session, one copy ; to the Vermont State Library, one hundred and fifty copies ; to the Adjutant and Inspector General, to be preserved in his office for the use of the office, one hundred copies ; to the Vermont Agricultural College, twenty-five copies ; to the University of Vermont, Middlebury College, Norwich University, the free library at Bennington, the public library at St. Albans, the library of the Young Men's Association at Burlington, three copies each ; to all other public libraries in the State, one copy each. The remainder shall be distributed among the citizens of the State, giving preference to those who have been in the military service of the United States.

Which was considered ; and, on motion of Mr. Chapman, was

*Ordered to lie.*

Mr. Tabor introduced a bill entitled

S. 50. An act laying a tax on the town of Averill ;

Which was read the first and second time, and referred to the Committee on Land Taxes.

Mr. Tabor introduced a bill entitled

S. 51. An act laying a tax on the town of Norton ;

Which was read the first and second time, and referred to the Committee on Land Taxes.

Mr. Dorr, from the Committee on Education to whom was referred a bill entitled

S. 30. An act relating to the duties of teachers of common schools ;

Reported the same, recommending the passage of a substitute bill, as follows :

*It is hereby enacted by the General Assembly of the State of Vermont :*

*Sec. 1. The several teachers of the common schools in the State shall faithfully keep all the records required by section one hundred and ten, of chapter twenty-two of the General Statutes, and shall make correct answers to all statistical inquiries required by said section, and shall make due return thereof to the district clerk, or such person as he may designate ; and no prudential committee shall be authorized or allowed to pay such teachers for their services*

*until the register properly filled up and completed shall be so returned.*

*Sec. 2. This act shall take effect from its passage.*

Which was agreed to; and thereupon said substitute bill was read the first and second time. The question being, Shall the bill be ordered to be engrossed and read the third time? it was decided in the affirmative; and the bill was

*Ordered* to be read the third time to-morrow morning.

On motion of Mr. Dorr, a bill entitled

S. 41. An act to incorporate the University of Vermont and State Agricultural Colleges;

Was taken up. Mr. Reed moved to amend as follows:

*First*, In section two, line ten, after the word "with," insert the words, *his Excellency, the Governor of the State, and;*

Which was agreed to.

*Second*, In section six, line fourteen, after the word "afore-said," insert the words, *a sum not to exceed;*

Which was agreed to.

*Third*, In section eleven, line four, after the word "state," strike out the word "may," and insert in lieu thereof the word *shall*; also to strike out the words, "in their discretion," in the same line; also to strike out the words "if they shall consider the public good require it."

The question being, Will the Senate agree to the said amendment? it was decided in the negative—yeas 7, nays 16.

Mr. Reed having demanded the yeas and nays, they were taken, and are as follows:

Those senators who voted in the affirmative are Messrs.

Barrett,  
Meacham,  
Porter,

Reed,  
Richmond,

Rublee,  
Upham—7.

Those senators who voted in the negative are Messrs.

Abbott,  
Chapman,  
Cochran,  
Crane,  
Dorr,  
Dotson,

Gay,  
Henry,  
Howe,  
Hyde,  
Ide,

Pennock,  
Smith,  
Soule,  
Tabor,  
Taft—16.

So the amendment was disagreed to; and thereupon the bill was

*Ordered* to be engrossed and read the third time.

On motion of Mr. Crane, House bill entitled

H. 65. An act to pay the town of Stockbridge the sum therein named;

Was taken up, considered, read the third time, and passed in concurrence.

Mr. Dorr, from the Committee on Bills, reported that the committee had presented to his Excellency, the Governor, for his approval and signature, bills of the following titles :

S. 1. An act to incorporate the Castleton Hotel Company ;

S. 13. An act to confirm certain decrees of the court of chancery ;

S. 16. An act to incorporate the Farmingdale Marble Company ;

S. 17. An act for establishing town libraries ;

S. 27. An act to amend the charter of the Burlington Aqueduct Company.

On motion of Mr. Tabor, the Senate adjourned.

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SATURDAY, NOVEMBER 4, 1865.

Prayer by the Rev. L. A. Dunn, of Fairfax.

Journal of yesterday was read and approved.

A message was received from his Excellency, the Governor, by Mr. Gay, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor to inform the Senate that he has approved and signed bills, originating in the Senate, of the following titles :

S. 1. An act to incorporate the Castleton Hotel Company ;

S. 13. An act to confirm certain decrees of the court of chancery ;

S. 16. An act to incorporate the Farmingdale Marble Company ;

S. 17. An act for establishing town libraries ;

S. 27. An act to amend the charter of the Burlington Aqueduct Company.

I am also directed to return to the Senate

S. 10. An act to incorporate the Caledonia Manufacturing Company;

And to transmit therewith a communication in writing.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills originating in the House, of the following titles:

H. 4. An act laying a tax on the county of Essex for repairing the jail and building a jail house;

H. 8. An act in addition to chapter twenty-five of the General Statutes, entitled "Of repairs of highways and bridges";

H. 63. An act to legalize the grand list of the town of Stockbridge for the year 1864;

H. 68. An act to legalize the grand list of the town of Lemington for the years 1864 and 1865;

H. 80. An act to incorporate the Brattleboro Manufacturing Company;

H. 90. An act to incorporate the Green Mountain Glass Company;

H. 117. An act authorizing the St. Albans Hotel Company to issue bonds;

H. 119. An act to incorporate the Rutland and Woodstock Railroad Company;

H. 128. An act to incorporate the Brattleboro Woolen Company.

The House have considered Senate proposals of amendment to House bill entitled

H. 43. An act relating to the collection of taxes in unorganized towns and gores;

And have adopted the same in concurrence.

They have passed bills of the following titles:

H. 27. An act to amend section thirty-five of chapter eighty-four of the General Statutes, relating to collection of taxes by the trustee process;

H. 77. An act for the protection of deer;

H. 94. An act to extend the jurisdiction of justices of the peace in actions of *scire facias*;

H. 120. An act to amend an act entitled "An act for organizing the militia";

H. 121. An act to legalize the action of towns in raising soldiers, and taxes assessed for certain purposes ;

H. 125. An act to incorporate the West Rupert Educational Institute ;

H. 126. An act to legalize the grand list of Sunderland for the year 1865 ;

In the passage of which the concurrence of the Senate is requested.

The President laid before the Senate the following communication from his Excellency, the Governor :

EXECUTIVE CHAMBER,  
Montpelier, November 3, 1865. }

HON. A. B. GARDNER, *President of the Senate* :

SIR : I herewith return to the Senate a bill which originated in that body, entitled " An act to incorporate the Caledonia Manufacturing Company," without my approval.

My objection to the bill is confined wholly to the language of the first section, descriptive of the powers of the corporation. It is as follows : *and shall have and enjoy all the powers and privileges incident to corporations, for the purpose of manufacturing and selling all kinds of articles made either in whole or in part from wool or cotton, or any other articles of merchandise they may think proper, in this State, with full power to vend or traffic in the same.*

The business or objects for which a corporation is created should always be stated with clearness and precision, to the end that no doubt may exist as to what would be a violation of its charter. In the present bill, after authority to manufacture all kinds of articles, made either in whole or in part of wool or of cotton, authority is further given to manufacture any other articles of merchandise they may think proper, with full power to vend or traffic in the same.

The last clause is the objectionable one. Should the company under this choose to manufacture brandy, whiskey or rum, would these not be " articles of merchandise," with full power granted to vend and traffic in the same? And so of any other branch of business that may be prohibited or regulated by law.

This objectionable clause was probably overlooked when the bill passed both branches of the Legislature, and I therefore return it, that the bill may be further considered.

PAUL DILLINGHAM.

Whereupon the Senate proceeded to reconsider said bill. The question being stated by the President, Shall the bill pass? it was decided by yeas and nays in the negative—yeas 0, nays 18.

Those senators who voted in the negative are Messrs.

Abbott,  
Barrett,  
Cochran,  
Crane,  
Dorr,  
Doton,

Henry,  
Howe,  
Ide,  
Meachem,  
Porter,  
Pennoek,

Richmond,  
Rublee,  
Smith,  
Soule,  
Taft,  
Upham—18.

So the bill was not passed.

Mr. Reed introduced the following joint resolution :

*Resolved by the Senate and House of Representatives,*  
That the Adjutant and Inspector General of the State is hereby authorized to distribute to each member of the Senate and House of Representatives, who was not a member last year, one copy of the Adjutant and Inspector General's Report for the year 1864 ;

Which was read, and adopted on the part of the Senate.

Mr. Crane introduced a bill entitled

S. 52. An act relating to probate fees and salaries ;

Which was read the first and second time, and referred to the Committee on the Judiciary.

Mr. Taft, from the Committee on the Judiciary to whom was referred House bill entitled

H. 70. An act to legalize the grand list of the town of Whiting ;

Reported the same, recommending that the Senate propose to the House to amend by adding to section two the words, *but shall have no effect upon any suit now pending ;*

Which was agreed to ; and thereupon said bill was read the third time and passed in concurrence, with a proposal of amendment.

Mr. Taft, from the Committee on the Judiciary to whom was referred House bill entitled

H. 82. An act restoring Sewell Hale to his legal rights and privileges ;

Reported the same, recommending that the Senate propose to the House to amend section one, by striking out the word "crime," in the last line, and adding thereto the words, *conviction of the crime of larceny ;*

Which was agreed to ; and thereupon the bill was read the third time and passed in concurrence, with a proposal of amendment.

Mr. Taft, from the Committee on the Judiciary to whom was referred House bill entitled

H. 92. An act to legalize the grand list of the town of Westfield for the year 1864 ;

Reported the same, recommending that the Senate propose to the House to amend by adding to section two the words, *but shall have no effect upon any suit now pending ;*

Which was agreed to ; and thereupon the bill was read the third time and passed in concurrence, with a proposal of amendment.

Mr. Taft, from the Committee on the Judiciary to whom was referred House bill entitled

H. 104. An act to prevent taking shad or white-fish in Lake Champlain or its tributaries ;

Reported in favor of its passage ; and thereupon said bill was read the third time, and passed in concurrence.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

Mr. PRESIDENT : I am directed to inform the Senate that the House have considered a joint resolution from the Senate directing the Quartermaster General to place tablets under the battle flags displayed in the Capitol ;

And have adopted the same in concurrence.

They have considered Senate bill entitled

S. 24. An act annexing certain islands in Lake Memphremagog to the town of Derby, and authorizing their sale, together with a portion of Province island ;

And have passed the same in concurrence.

They have passed a bill entitled

H. 137. An act to incorporate the Bakersfield and Waterville Turnpike Road Company ;

In the passage of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second time, and referred, to wit :

H. 27. An act to amend section thirty-five of chapter eighty-four of the General Statutes, relating to the collection of taxes by trustee process ;

H. 94. An act to extend the jurisdiction of the justices of the peace in actions of *scire facias* ;

H. 121. An act to legalize the action of towns in raising soldiers, and taxes assessed for certain purposes ;

H. 126. An act to legalize the grand list of Sunderland for the year 1865 ;

To the Committee on the Judiciary.

H. 77. An act for the protection of deer ;

To the General Committee.

H. 120. An act to amend an act entitled " An act for organizing the militia " ;

To the Committee on Military Affairs.

H. 125. An act to incorporate the West Rupert Educational Institute ;

To the Committee on Education.

H. 137. An act to incorporate the Bakersfield and Waterville Turnpike Road Company ;

To the Committee on Roads.

On motion of Mr. Taft, a bill entitled

S. 28. An act providing for the appointment of an Attorney General, and regulating the fees of State's attorneys ;

Was taken up. Mr. Taft moved to amend by striking out section eight, and inserting in lieu thereof the following :

*Sec. 8. No money shall be paid by the State to any special attorney for services in any cause or prosecution in which the State is a party ;*

Which was agreed to.

Mr. Chapman moved to amend by striking out all after the enacting clause, and substitute as follows :

*Sec. 1. The several State's attorneys in this State, in lieu of the salaries now provided by law, shall be entitled to charge and receive for services the following fees :*

*For every indictment, information or civil process filed in the county or supreme courts, the sum of five dollars ; for every copy of an indictment or information furnished a respondent, the sum of one dollar ; for every conviction upon indictment or information, and for every judgment upon civil process, the sum of seven dollars ; for every trial by jury in all cases where the punishment may be by imprisonment in the State Prison, the sum of fifteen dollars ; for trial by jury in all other cases, the sum of ten dollars ; for term fee, three dollars ; for attorney fee, six dollars ; and upon all moneys collected and paid into the hands of the county clerks, to the credit of the State, in any suit or prosecution in behalf of the State, the sum of five per cent. of such moneys ; and in all prosecutions before justices of the peace or courts of inferior jurisdiction,*

*the sum of five dollars, in addition to the fees now allowed to town grand jurors in such cases; which fees, except the per centum upon moneys as aforesaid, shall be taxed in the bill of costs against the respondents respectively, except in those cases where the respondents are sentenced to State Prison. And no State's attorney shall receive, directly or indirectly, any fees or charges, except as provided by this act.*

*Sec. 2. On the first days of June and December in each year, every State's attorney shall prepare an account against the State, of all charges for his services, for the six months preceding, in accordance with the foregoing section, which account shall be sworn to, audited by the court auditor for the county, and certified to be correct by the county clerk; and no payment shall be made to any State's attorney, on account of his services, by the Treasurer of the State, until said account shall have been filed with said Treasurer, nor until said State's attorney shall have filed with the Treasurer the certificate of the Secretary of State that he has complied with section sixty-four of chapter twelve of the General Statutes.*

*Sec. 3. All damages, fines and costs recovered in any suit or prosecution to which the State is a real party, pending before any justice of the peace or police court, shall be paid to such justice of the peace or judge of such police court, whose receipt shall be the only valid discharge for the amount of such damages, fines and costs, and by such justice or judge respectively paid to the clerk of the county court.*

*Sec. 4. If on the trial of any case before any county court in this State, or on the hearing of the same before the Supreme Court, in the opinion of said court, the rights of the people and the cause of justice demand additional counsel and assistance, on application of the State's attorney of the county where such trial is to be had, said court may, in their discretion, appoint some suitable person to assist said State's attorney at the trial or hearing aforesaid, and his account for the same shall be audited and allowed in the same manner as other court expenses are audited, allowed and paid.*

*Sec. 5. All acts and parts of acts inconsistent with this act are hereby repealed.*

*Sec. 6. This act shall take effect from its passage.*

The question being, Shall the substitute amendment be adopted? the bill was

*Ordered* to lie, and made the special order at three o'clock on Monday afternoon next, and the Secretary directed to procure the printing of three hundred and fifty copies.

Mr. Dorr introduced the following joint resolution :

*Resolved by the Senate and House of Representatives,* That his Excellency, the Governor, is hereby authorized and directed to appoint three commissioners, whose duty it shall be to report, for the consideration of the next annual General Assembly, a general law, under which all private corporations, ~~except~~ railroad corporations, shall, after the passage of such act, be organized, instead of applying to the Legislature for special acts of incorporation ;

The Governor is hereby authorized to draw his warrant on the Treasurer of the State, in favor of said commissioners, for a sum, not exceeding                dollars, for the payment of said commissioners ;

Which was read the first and second time, and referred to the Committee on the Judiciary.

Mr. Gay, from the Committee on Manufactures to whom was referred Senate bill entitled

S. 37. An act to incorporate the Star Silver Mining Company of Nevada ;

Reported in favor of its passage ; and thereupon said bill was

*Ordered* to be engrossed and read the third time.

Mr. Gay, from the Committee on Manufactures to whom was referred a bill entitled

S. 42. An act to incorporate the Brandon Mineral Paint Company ;

Reported the same, recommending that the bill be amended in section one, line nine, by inserting after the word "articles," the words, *of a like nature* ;

Which was agreed to ; and thereupon the bill was

*Ordered* to be engrossed and read the third time.

Mr. Barrett, from the Committee on Education to whom was referred House bill entitled

H. 74. An act to incorporate the Vermont Conference Seminary and Female College ;

Reported in favor of its passage ; and thereupon said bill was read the third time, and passed in concurrence.

dred copies ; to the Governor, for his use, or distribution by him in his discretion, twenty-five copies ; to each member of the Senate and House of Representatives of the present session, who was not a member of the last session, one copy ; to the Vermont State Library, one hundred and fifty copies ; to the Adjutant and Inspector General, to be preserved in his office for the use of the office, one hundred copies ; to the Vermont Agricultural College, twenty-five copies ; to the University of Vermont, Middlebury College, Norwich University, the free library at Bennington, the public library at St. Albans, the library of the Young Men's Association at Burlington, three copies each ; to all other public libraries in the State, one copy each. The remainder shall be distributed among the citizens of the State, giving preference to those who have been in the military service of the United States.

Which was considered ; and, on motion of Mr. Chapman, was

*Ordered to lie.*

Mr. Tabor introduced a bill entitled

S. 50. An act laying a tax on the town of Averill ;

Which was read the first and second time, and referred to the Committee on Land Taxes.

Mr. Tabor introduced a bill entitled

S. 51. An act laying a tax on the town of Norton ;

Which was read the first and second time, and referred to the Committee on Land Taxes.

Mr. Dorr, from the Committee on Education to whom was referred a bill entitled

S. 30. An act relating to the duties of teachers of common schools ;

Reported the same, recommending the passage of a substitute bill, as follows :

*It is hereby enacted by the General Assembly of the State of Vermont :*

*Sec. 1. The several teachers of the common schools in the State shall faithfully keep all the records required by section one hundred and ten, of chapter twenty-two of the General Statutes, and shall make correct answers to all statistical inquiries required by said section, and shall make due return thereof to the district clerk, or such person as he may designate ; and no prudential committee shall be authorized or allowed to pay such teachers for their services*

*until the register properly filled up and completed shall be so returned.*

*Sec. 2. This act shall take effect from its passage.*

Which was agreed to; and thereupon said substitute bill was read the first and second time. The question being, Shall the bill be ordered to be engrossed and read the third time? it was decided in the affirmative; and the bill was

*Ordered* to be read the third time to-morrow morning.

On motion of Mr. Dorr, a bill entitled

S. 41. An act to incorporate the University of Vermont and State Agricultural Colleges;

Was taken up. Mr. Reed moved to amend as follows:

*First*, In section two, line ten, after the word "with," insert the words, *his Excellency, the Governor of the State, and;*

Which was agreed to.

*Second*, In section six, line fourteen, after the word "afore-said," insert the words, *a sum not to exceed;*

Which was agreed to.

*Third*, In section eleven, line four, after the word "state," strike out the word "may," and insert in lieu thereof the word *shall*; also to strike out the words, "in their discretion," in the same line; also to strike out the words "if they shall consider the public good require it."

The question being, Will the Senate agree to the said amendment? it was decided in the negative—yeas 7, nays 16.

Mr. Reed having demanded the yeas and nays, they were taken, and are as follows:

Those senators who voted in the affirmative are Messrs.

Barrett,  
Meacham,  
Porter,

Reed,  
Richmond,

Rublee,  
Upham—7.

Those senators who voted in the negative are Messrs.

Abbott,  
Chapman,  
Cochran,  
Crane,  
Dorr,  
Dotson,

Gay,  
Henry,  
Howe,  
Hyde,  
Ide,

Pennock,  
Smith,  
Soule,  
Tabor,  
Taft—16.

So the amendment was disagreed to; and thereupon the bill was

*Ordered* to be engrossed and read the third time.

On motion of Mr. Crane, House bill entitled

H. 65. An act to pay the town of Stockbridge the sum therein named;

Was taken up, considered, read the third time, and passed in concurrence.

Mr. Dorr, from the Committee on Bills, reported that the committee had presented to his Excellency, the Governor, for his approval and signature, bills of the following titles :

S. 1. An act to incorporate the Castleton Hotel Company ;

S. 13. An act to confirm certain decrees of the court of chancery ;

S. 16. An act to incorporate the Farmingdale Marble Company ;

S. 17. An act for establishing town libraries ;

S. 27. An act to amend the charter of the Burlington Aqueduct Company.

On motion of Mr. Tabor, the Senate adjourned.

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SATURDAY, NOVEMBER 4, 1865.

Prayer by the Rev. L. A. Dunn, of Fairfax.

Journal of yesterday was read and approved.

A message was received from his Excellency, the Governor, by Mr. Gay, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor to inform the Senate that he has approved and signed bills, originating in the Senate, of the following titles :

S. 1. An act to incorporate the Castleton Hotel Company ;

S. 13. An act to confirm certain decrees of the court of chancery ;

S. 16. An act to incorporate the Farmingdale Marble Company ;

S. 17. An act for establishing town libraries ;

S. 27. An act to amend the charter of the Burlington Aqueduct Company.

I am also directed to return to the Senate

S. 10. An act to incorporate the Caledonia Manufacturing Company;

And to transmit therewith a communication in writing.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills originating in the House, of the following titles:

H. 4. An act laying a tax on the county of Essex for repairing the jail and building a jail house;

H. 8. An act in addition to chapter twenty-five of the General Statutes, entitled "Of repairs of highways and bridges";

H. 63. An act to legalize the grand list of the town of Stockbridge for the year 1864;

H. 68. An act to legalize the grand list of the town of Lemington for the years 1864 and 1865;

H. 80. An act to incorporate the Brattleboro Manufacturing Company;

H. 90. An act to incorporate the Green Mountain Glass Company;

H. 117. An act authorizing the St. Albans Hotel Company to issue bonds;

H. 119. An act to incorporate the Rutland and Woodstock Railroad Company;

H. 128. An act to incorporate the Brattleboro Woolen Company.

The House have considered Senate proposals of amendment to House bill entitled

H. 43. An act relating to the collection of taxes in unorganized towns and gores;

And have adopted the same in concurrence.

They have passed bills of the following titles:

H. 27. An act to amend section thirty-five of chapter eighty-four of the General Statutes, relating to collection of taxes by the trustee process;

H. 77. An act for the protection of deer;

H. 94. An act to extend the jurisdiction of justices of the peace in actions of *scire facias*;

H. 120. An act to amend an act entitled "An act for organizing the militia";

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

Mr. PRESIDENT : I am directed to inform the Senate that the House have considered joint resolution from the Senate providing for the distribution of the Report of the Adjutant and Inspector General for the year 1864 ;

And have adopted the same in concurrence.

The House have considered the Senate proposals of amendment to House bills entitled

H. 70. An act to legalize the grand list of the town of Whiting ;

H. 92. An act to legalize the grand list of the town of Westfield for the year 1864 ;

H. 82. An act restoring Sewell Hale to his legal rights and privileges ;

And have adopted the same in concurrence.

The House have passed bills of the following titles :

H. 25. An act in relation to dower and homestead ;

H. 99. An act regulating the fees of justices ;

H. 110. An act to amend section two of chapter seventeen of the General Statutes, in relation to fees of school district clerks ;

H. 129. An act to constitute Alva Ellsworth heir-at-law to the estate of Isaac W. Higgins ;

H. 151. An act to change the name of William Henry Gale, to William Henry Hoard ;

H. 159. An act to protect fish in Monkton pond ;

H. 162. An act altering the name of Mary Jane Sherman, and constituting her heir-at-law of Edward F. Hooper and Helen M. Hooper ;

In the passage of which the concurrence of the Senate is requested.

Mr. Porter, from the General Committee to whom was referred a bill entitled

S. 53. An act in relation to the sale of fire and cord wood ;

Reported in favor of its passage ; and thereupon said bill was

*Ordered* to be engrossed and read the third time.

Engrossed bills of the following titles were severally read the third time and passed :

S. 42. An act to incorporate the Brandon Mineral Paint Company ;

S. 37. An act to incorporate the Star Silver Mining Company of Nevada.

House bill entitled

H. 76. An act relating to the pay of town superintendents of common schools ;

Was read the third time and passed in concurrence.

House bills of the following titles were severally read the first and second time and referred, to wit :

H. 25. An act in relation to dower and homestead ;

H. 99. An act regulating fees of justices ;  
To the Committee on the Judiciary.

H. 110. An act to amend section second of chapter seventeen of the General Statutes, in relation to fees of school district clerks ;

To the Committee on Education.

H. 129. An act to constitute Alva Ellsworth heir-at-law to the estate of Isaac Wilson Higgins ;

H. 151. An act to change the name of William Henry Gale to William Henry Hoard ;

H. 159. An act to protect fish in Monkton pond ;

H. 162. An act altering the name of Mary Jane Sherman, and constituting her heir-at-law of Edward F. Hooper and Helen M. Hooper ;

To the General Committee.

Mr. Reed introduced a bill entitled

S. 61. An act prescribing a limitation for the redemption of bank bills ;

Which was read the first and second time, and referred to the Committee on Printing.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed bills entitled

H. 158. An act to incorporate the Stamford Manufacturing Company ;

H. 175. An act altering the name of Albert M. Davies, and constituting him heir-at-law of Benjamin Robinson, Jr., and Nancy A. Robinson ;

In the passage of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second time, and referred, to wit :

H. 158. An act to incorporate the Stamford Manufacturing Company ;

To the Committee on Manufactures.

H. 175. An act altering the name of Albert M. Davies, and constituting him heir-at-law of Benjamin Robinson, Jr., and Nancy A. Robinson ;

To the General Committee.

A bill entitled

S. 47. An act in relation to circus exhibitions ;

Was taken up, having been printed, and referred to the Committee on the Judiciary.

Mr. Reed, from the Committee on Printing to whom was referred bills entitled

S. 56. An act authorizing village corporations to appoint a police ;

S. 60. An act in relation to appeals in criminal cases ;

S. 61. An act prescribing a limitation for the redemption of bank bills ;

Reported the same, recommending the printing of three hundred and fifty copies of each of said bills ; and thereupon they were severally

*Ordered* to lie and be printed.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 37. An act laying a tax on the lands in Goshen Gore ;

Reported in favor of its passage ; and thereupon the bill was read the third time and passed in concurrence.

On motion of Mr. Reed, the Senate adjourned.

## AFTERNOON.

Mr. Gay, from the Committee on Manufactures to whom was referred House bill entitled

H. 32. An act to incorporate the Vermont Gold Mining Company ;

Reported in favor of its passage ; and thereupon said bill was read the third time and passed in concurrence.

Mr. Gay, from the Committee on Manufactures to whom was referred House bill entitled

H. 133. An act to incorporate the Brandon Marble Company ;

Reported in favor of its passage ; and thereupon said bill was read the third time, and passed in concurrence.

A message was received from his Excellency, the Governor, by Mr. Gay, Secretary of Civil and Military Affairs; as follows :

MR. PRESIDENT : I am directed by the Governor to inform the Senate that he has approved and signed a bill, originating in the Senate, of the following title :

S. 24. An act annexing certain islands in Lake Memphremagog to the town of Derby, and authorizing their sale, together with a portion of Province island.

Mr. Abbott, from the Committee on Roads to whom was referred House bill entitled

H. 137. An act to incorporate the Bakersfield and Waterville Turnpike Road Company ;

Reported in favor of its passage ; and thereupon said bill was read the third time and passed in concurrence.

Mr. Porter, from the General Committee to whom was referred House bill entitled

H 159. An act to protect fish in Monkton pond ;

Reported in favor of its passage ; and thereupon said bill was read the third time and passed in concurrence.

Mr. Taft, from the Committee on the Judiciary to whom was referred House bills entitled

H. 94. An act to extend the jurisdiction of justices of the peace in actions of *scire facias* ;

H. 99. An act regulating the fees of justices ;

Reported in favor of their passage ; and thereupon said bills were severally read the third time and passed in concurrence.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 121. An act to legalize the action of towns in raising soldiers and taxes assessed for certain purposes ;

Reported in favor of its passage ; and thereupon said bill was read the third time and passed in concurrence.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 27. An act to amend section thirty-five of chapter eighty-four of the General Statutes, relating to the collection of taxes by the trustee process ;

Reported in favor of its passage ; and thereupon said bill was

*Ordered* to be read the third time to-morrow morning.

Mr. Reed, from the Committee on the Judiciary to whom was referred a bill entitled

S. 32. An act to amend section seventy-three of chapter thirty of the General Statutes;

Reported in favor of its passage; and thereupon said bill was

*Ordered* to be engrossed and read the third time to-morrow morning.

Mr. Tabor, from the General Committee to whom was referred a bill entitled

S. 55. An act to incorporate the Waterbury Falls and Crouching Lion Hotel Company;

Reported in favor of its passage; and thereupon said bill was

*Ordered* to be engrossed and read the third time.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 19. An act to amend section thirty-two, chapter one hundred and twenty-six, of the General Statutes, relating to fees of sheriffs and constables;

Reported in favor of its passage; and thereupon the bill was read the third time, and, on motion of Mr. Dorr,

*Ordered* to lie.

Mr. Richmond, from the Committee on Agriculture to whom was referred House bill entitled

H. 106. An act to incorporate the West Pawlet Dairy Association;

Reported in favor of its passage; and thereupon said bill was read the third time and passed in concurrence.

Mr. Cochran, from the Committee on Manufactures to whom was referred bills entitled

S. 48. An act to incorporate the Addison County Marble Company;

S. 49. An act to incorporate the Rutland County Slate Company;

Reported in favor of their passage; and thereupon said bills were severally

*Ordered* to be engrossed and read the third time.

Mr. Dorr introduced a bill entitled

S. 62. An act to incorporate the Rutland Manufacturing Company;

Which was read the first and second time, and referred to the Committee on Manufactures.

Mr. Cochran, from the Committee on Manufactures to whom was referred House bill entitled

H. 158. An act to incorporate the Stamford Manufacturing Company ;

Reported the same, recommending that the Senate propose to the House to amend section one, line five, by adding after the word "expedient," the words, *not prohibited by the laws of this or the United States* ;

Which was agreed to ; and thereupon the bill was read the third time and passed in concurrence, with a proposal of amendment.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills, originating in the House, of the following titles :

H. 43. An act relating to the collection of taxes in unorganized towns and gores ;

H. 65. An act to pay the town of Stockbridge the sum therein named ;

H. 74. An act to incorporate the Vermont Conference Seminary and Female College ;

H. 79. An act giving additional compensation to the Secretary of the Board of Education ;

H. 104. An act to prevent taking shad or white-fish in Lake Champlain or its tributaries.

The House have passed a bill of the following title :

H. 131. An act relating to arrest of judgment in civil causes ;

In the passage of which the concurrence of the Senate is requested.

House bill entitled

H. 131. An act relating to arrest of judgment in civil causes ;

Was read the first and second time, and referred to the Committee on the Judiciary.

Mr. Upham, from the General Committee to whom was referred House bill entitled

H. 77. An act for the protection of deer ;

Reported in favor of its passage ; and thereupon the bill was read the third time and passed in concurrence.

Mr. Reed, from the Committee on the Judiciary to whom was referred a bill entitled

S. 52. An act relating to probate fees and salaries ;

Reported the same, recommending that the bill be amended by striking out the words, "four hundred and fifty dollars," after the word "Lamoille," and inserting in lieu thereof the words, *five hundred* ;

Which was agreed to.

Also, in section two, at the end of line twenty-four, by inserting the words, *in lieu of eight cents per folio, as now provided* ;

Which was agreed to ; and the bill, as amended, was

*Ordered* to be engrossed and read the third time.

A bill entitled

S. 28. An act providing for the appointment of an Attorney General, and regulating the fees of State's attorneys ;

Was taken up, being the special order for this time, considered, and, on motion of Mr. Taft,

*Ordered* to lie.

Mr. Taft, from the Committee on the Judiciary to whom was referred a joint resolution for the appointment of commissioners,

Reported the same, recommending that the resolution be amended by inserting in line seven, after the words, "railroad," the words, *and all other* ; also, by inserting after the word, "corporation," in the same line the words, *referred to in section one of chapter three of the General Statutes* ;

Which was agreed to.

Also, to fill the blank in the thirteenth line, with the words, *seventy-five dollars* ;

Which was agreed to ; and the resolution was read the third time, and adopted on the part of the Senate.

Mr. Reed, from the Committee on the Judiciary to whom was referred a bill entitled

S. 47. An act in relation to circus exhibitions ;

Reported in favor of its passage ; and thereupon the bill was *Ordered* to be engrossed, and read the third time.

Mr. Gay, from the Committee on Manufactures to whom was referred a bill entitled

S. 62. An act to incorporate the Rutland Manufacturing Company ;

Reported in favor of its passage ; and thereupon the bill was *Ordered* to be engrossed and read the third time.

Mr. Cochran, from the Committee on Manufactures to whom was referred a bill entitled

S. 58. An act to incorporate the Hydeville Manufacturing Company;

Reported in favor of its passage; and thereupon the bill was *Ordered* to be engrossed, and read the third time.

Engrossed bill entitled

S. 41. An act to incorporate the University of Vermont and State Agricultural College;

Was read the third time. Mr. Reed moved to commit to a senator to amend in section eleven, line four, by striking out the words, "in their discretion"; also, in line six, the words, "if they shall consider that the public good requires it."

The question being, Shall the amendment be agreed to? it was decided in the affirmative—yeas 12, nays 10.

Mr. Reed having demanded the yeas and nays, they were taken, and are as follows:

Those senators who voted in the affirmative are Messrs.

Abbott,  
Allen,  
Barrett,  
Henry,

Howe,  
Hyde,  
Ide,  
Porter,

Reed,  
Richmond,  
Rublee,  
Upham—12.

Those senators who voted in the negative are Messrs.

Cochran,  
Crane,  
Dorr,  
Gay,

Hobart,  
Pennock,  
Smith,

Soule,  
Tabor,  
Taft—10.

So the amendment was adopted.

The President designated Mr. Reed as the senator to whom the bill should be committed to amend, under the instructions of the Senate.

Mr. Reed, to whom was committed engrossed bill entitled S. 41. An act to incorporate the University of Vermont and State Agricultural College;

Reported the same, amended agreeably to the instructions of the Senate.

Mr. Porter moved that said bill be committed to a senator to amend by striking out section eleven, and inserting the following:

*Sec. 11. This act shall be under the control of future Legislatures, to alter, amend or repeal, as the public good may require;*

Which was disagreed to. The question being, Shall the bill pass? it was decided in the affirmative.

On motion of Mr. Henry, the Senate adjourned.

TUESDAY, NOVEMBER 7, 1865.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr. Hyde introduced a bill entitled

S. 63. An act to incorporate the Chittenden Kaolin and Paint Company ;

Which was read the first and second time, and referred to the Committee on Manufactures.

Mr. Hyde introduced a bill entitled

S. 64. An act to incorporate the Vermont Iron Company ;

Which was read the first and second time, and referred to the Committee on Manufactures.

Mr. Hyde introduced a bill entitled

S. 65. An act to incorporate the Rutland and Reese River Mining Company ;

Which was read the first and second time, and referred to the Committee on Manufactures.

Bills entitled

S. 56. An act authorizing village corporations to appoint police ;

S. 60. An act in relation to appeals in criminal cases ;

Were taken up, having been printed, and referred to the Committee on the Judiciary.

A bill entitled

S. 61. An act prescribing a limitation for the redemption of bank bills ;

Was taken up, having been printed, and referred to the Committee on Banks.

Engrossed bills of the following titles were severally read the third time and passed :

S. 26. An act relating to the duties of school district clerks ;

S. 30. An act relating to the duties of teachers of common schools ;

S. 32. An act to amend section seventy-three of chapter thirty of the General Statutes ;

S. 44. An act to incorporate the McLeran's Falls Manufacturing Company.

Engrossed bill entitled

S. 47. An act in relation to circus exhibitions ;

Was read the third time, and Mr. Chapman moved that the bill be committed to a senator to amend in section one, line twenty-one, by striking out the word "one," before the word thousand, and inserting the word *two* ;

Which was agreed to. Thereupon the President designated Senator Chapman as the senator to whom the bill should be committed under the instructions of the Senate.

Mr. Chapman, to whom was committed engrossed bill

S. 47. An act in relation to circus exhibitions ;

Reported the same, amended agreeably to the instructions of the Senate. The question being, Shall the bill pass? it was decided in the affirmative—yeas 16, nays 12.

Mr. Tabor having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Barrett,  
Cochran,  
Crane,  
Dorr,  
Gay,  
Henry,

Hyde,  
Ide,  
Park,  
Porter,  
Pegnock,

Reed,  
Ruble,  
Smith,  
Suile,  
Taft—16.

Those senators who voted in the negative are Messrs.

Abbott,  
Allen,  
Chapman,  
Clement,

Duton,  
Hobart,  
Howe,  
Hutchinson,

Meacham,  
Richmond,  
Tabor,  
Upham—12.

So the bill was passed.

Engrossed bills of the following titles were severally read the third time and passed :

S. 48. An act to incorporate the Addison County Marble Company ;

S. 53. An act in relation to the sale of fire and cord wood ;

S. 54. An act to incorporate the Caledonia Manufacturing Company ;

S. 55. An act to incorporate the Waterbury Falls and Crouching Lion Hotel and Road Company ;

S. 58. An act to incorporate the Hydeville Manufacturing Company.

Engrossed bill entitled

S. 62. An act to incorporate the Rutland Manufacturing Company ;

Was read the third time. Mr. Dorr moved to commit to a senator to amend in section one, line eleven, by inserting after the word "Rutland," the word *county* ;

Which was agreed to.

Also to amend the title by inserting after the word "Rutland," the word *county*;

Which was agreed to; and the President designated Mr. Dorr as the senator to whom the bill should be committed to amend under the instructions of the Senate.

Mr. Dorr, to whom was committed engrossed bill entitled S. 62. An act to incorporate the Rutland Manufacturing Company;

Reported the same, amended agreeably to the instructions of the Senate. Thereupon said bill was passed.

House bill entitled

H. 27. An act to amend section thirty-five of chapter eighty-four of the General Statutes, relating to the collection of taxes by the trustee process;

Was read the third time and passed in concurrence.

Mr. Pennock introduced a bill entitled

S. 66. An act authorizing the towns of Stowe, Morris-town, Johnson, Hyde park, Eden, Wolcott and Elmore, to raise money to build a railroad;

Which was read the first and second time, and referred to the Committee on the Judiciary.

Mr. Taft introduced a bill entitled

S. 67. An act to incorporate the Young Men's Association of Burlington;

Which was read the first and second time, and referred to the General Committee.

Mr. Smith introduced a bill entitled

S. 68. An act to pay William Phelps, Alexander Gunion and Robert Bard, the sum therein mentioned;

Which was read the first and second time, and referred to the Committee on Claims.

Mr. Tabor, from the General Committee to whom were referred House bills entitled

H. 129. An act to constitute Alva Ellsworth heir-at-law to the estate of Isaac Wilson Higgins;

H. 151. An act to change the name of William Henry Gale to William Henry Hoard;

H. 162. An act altering the name of Mary Jane Sherman, and constituting her heir-at-law of Edward F. Hooper and Helen M. Hooper;

H. 175. An act altering the name of Albert M. Davies, and constituting him heir-at-law of Benjamin Robinson, Jr., and Nancy A. Robinson;

Reported adversely to the passage of said bills ; and thereupon the third reading of each of said bills was refused.

Mr. Cochran introduced a bill entitled

S. 69. An act to pay Dorr Barney the sum therein mentioned ;

Which was read the first and second time, and referred to the Committee on Claims.

Mr. Barrett, from the Joint Committee on the Library, submitted the following report :

*To the Honorable Senate now in session :*

The Joint Committee on the Library to whom was referred the Annual Report of the Trustees of the Vermont State Library, and a resolution relating to the Library, respectfully report that they have considered the same, and are of the opinion that the resolution ought to pass.

CHARLES BARRETT.

Thereupon a joint resolution relating to the State Library was read the third time, and adopted on the part of the Senate.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

Mr. PRESIDENT : I am directed to inform the Senate that the House have considered Senate bills entitled

S. 31. An act to incorporate the Bird Mountain Observatory Association ;

S. 43. An act to protect fish in Beaver pond ;

And have passed the same in concurrence.

The House have passed bills of the following titles :

H. 88. An act to exempt the proceeds of certain property from attachment by the trustee process ;

H. 98. An act to incorporate the Dellwood Cemetery Association ;

H. 93. An act to incorporate the Newbury Lime and Cement Company ;

H. 95. An act to repeal an act therein named, and to reenact section twenty of chapter twenty-two of the General Statutes ;

H. 107. An act to incorporate the Woodstock Hotel Company ;

H. 115. An act to provide for payment of costs before probate courts in certain cases ;

H. 124. An act to incorporate the Wilmington Boot and Shoe Company ;

H. 138. An act to incorporate the West Addison Cemetery Association ;

H. 178. An act to tax deposits in savings banks ;  
In the passage of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second time, and referred, to wit :

H. 88. An act to exempt the proceeds of certain property from attachment by the trustee process ;

H. 95. An act to repeal an act therein named, and to reenact section twenty of chapter twenty-two of the General Statutes ;

H. 115. An act to provide for payment of costs before probate courts in certain cases ;

To the Committee on the Judiciary.

H. 93. An act to incorporate the Newbury Lime and Cement Company ;

H. 124. An act to incorporate the Wilmington Boot and Shoe Company ;

To the Committee on Manufactures.

H. 98. An act to incorporate the Dellwood Cemetery Association ;

H. 107. An act to incorporate the Woodstock Hotel Company ;

H. 138. An act to incorporate the West Addison Cemetery Association ;

To the General Committee.

H. 178. An act to tax deposits in savings banks ;

To the Committee on Finance.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed bills of the following titles :

H. 141. An act to incorporate the Sutherland Falls Hotel Company ;

H. 165. An act amending the first section of an act entitled " An act to incorporate the Montpelier Hotel Company," approved November 22, 1864 ;

H. 171. An act to legalize the grand list of the town of Barre for the year 1865 ;

H. 174. An act changing the name of Martha Iona Stevens to Martha Iona Putnam, and constituting her heir-at-law to Solon D. Putnam and Nancy M. Putnam ;

H. 177. An act in amendment of an act entitled "An act to prevent illegal voting, and in addition to chapter fifteen of the General Statutes," approved November 21, 1864;

H. 180. An act to incorporate the Rutland County Reservoir Company;

H. 182. An act to protect fish in Otter Creek;

H. 187. An act changing the name of Charles R. Bull;

H. 188. An act to change the name of Ida Lorinda Morse, and constitute her heir-at-law of Owen T. Paddock;

H. 191. An act extending the power of trustees of incorporated villages;

H. 194. An act for the preservation of fish at the mouth of West River and the waters adjacent thereto;

In the passage of which the concurrence of the Senate is requested.

A bill, entitled

S. 28. An act providing for the appointment of an Attorney General, and regulating the fees of State's attorneys;

Was taken up, considered, and the question being, Shall the amendment proposed by Mr. Chapman be adopted? On motion of Mr. Reed, the bill was

*Ordered to lie.*

Mr. Reed, from the Committee on Printing to whom was referred Senate bill entitled

S. 70. An act in relation to the sale of shares of stock in private corporations for the non-payment of assessments;

Reported the same, recommending the printing of three hundred and fifty copies; and thereupon the bill was

*Ordered to lie and be printed.*

On motion of Mr. Reed, the Senate adjourned.

## AFTERNOON.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to request the Senate to return to the House House bill entitled

H. 171. An act to legalize the grand list of the town of Barre for the year 1865.

The House have considered a joint resolution from the Senate providing for the appointment of commissioners ;

And have not adopted the same in concurrence.

The House have considered Senate proposals of amendment to House bill entitled

H. 58. An act to incorporate the Stamford Manufacturing Company ;

And have adopted the same in concurrence.

The Senate voted to return to the possession of the House, agreeably to their request, House bill entitled

H. 171. An act to legalize the grand list of the town of Barre for the year 1865.

The President laid before the Senate the following resolutions of the Vermont State Medical Society :

*Resolved*, That as members of the medical profession of this State, we regard the approach of that terrible epidemic scourge, the cholera, with great apprehension, and would earnestly invite the attention of the Legislature now in session, to the consideration of the sanitary laws of the State, as to whether they need any amendment to make them more efficient.

*Resolved*, That as members of the medical profession of the State, and in a certain degree the guardians of the public health, we shall feel it a pleasure, as well as a duty, to co-operate in any proper manner with the officers appointed to carry into effect any sanitary laws which the Legislature may adopt.

*Resolved*, That a copy of these resolutions, signed by the officers of this society, be presented to the Speaker of the House and President of the Senate, with the request to lay them before their respective bodies.

WILLIAM McCOLLOM, M. D., President.

L. C. BUTLER, M. D., Secretary.

MONTPELIER, October 19, 1865.

Which were read, and referred to the Committee under the Fourth Joint Rule.

Mr. Chapman, from the Committee on Finance to whom was referred House bill entitled

H. 64. An act in amendment of chapter eighty-three of the General Statutes, entitled "Of the grand list" ;

Reported the same, recommending that the Senate propose to the House to amend as follows :

*First*, After the word "town," in line three, section one,

insert the words, *and in all cases where the owner or owners of any real estate, by reason of an alleged error in the quantity, condition or value of such real estate, as may have been examined and appraised or set in the list by them, and shall feel aggrieved or injured by such appraisal or list, in each year;*

Which was agreed to.

*Second,* After the word "quarries," in line five, section one, insert the words, *or real estate;*

Which was agreed to.

*Third,* In line eight, section one, after the word "property," insert the words, *and real estate;*

Which was agreed to.

*Fourth,* Strike out the word "regular," in line twelve of section one;

Which was agreed to.

*Fifth,* In line three, section two, after the word "property," insert the words, *or real estate;*

Which was agreed to.

*Sixth,* In line eleven, section two, strike out the word "regular";

Which was agreed to.

*Seventh,* Also in line fifteen, section two, after the word "final," insert the words, *for one year, or until modified by said board of county judges, application for which may be made by either party, and award or decision made as provided in this and the preceding section;*

Which was agreed to.

*Eighth,* Insert a new section after section four, as follows:

*Sec. 5. The provisions of this act shall not apply to the list made for the purposes of state or county taxation, but the list authorized by this act shall be taken and deemed to be the true list on which all other taxes shall be assessed;*

Which was agreed to; and thereupon said bill was

*Ordered* to be read the third time to-morrow morning.

House bills of the following titles were severally read the first and second time, and referred, to wit:

H. 141. An act to incorporate the Sutherland Falls Hotel Company;

H. 165. An act amending the first section of an act entitled "An act to incorporate the Montpelier Hotel Company," approved November 22, 1864;

H. 182. An act to protect fish in Otter Creek;

**H. 194.** An act for the preservation of fish at the mouth of West River and adjacent waters ;

To the General Committee.

**H. 177.** An act in amendment of an act entitled "An act to prevent illegal voting, and in addition to chapter fifteen of the General Statutes," approved November 21, 1864 ;

To the Committee on Elections.

**H. 180.** An act to incorporate the Rutland County Reservoir Company ;

To the Committee on Manufactures.

**H. 191.** An act extending the power of trustees of incorporated villages ;

To the Committee on the Judiciary.

House bills entitled

**H. 174.** An act changing the name of Martha Iona Stevens to Martha Iona Putnam, and constituting her heir-at-law to Solon D. Putnam and Nancy M. Putnam ;

**H. 187.** An act changing the name of Charles R. Bull ;

**H. 188.** An act changing the name of Ida Lorinda Morse, and constituting her heir-at-law of Owen T. Paddock ;

Were severally read the first time ; and the question being, Shall they be read the second time ? it was decided in the negative.

Mr. Crane, from the Committee on Military Affairs to whom was referred House bill entitled

**H. 120.** An act to amend an act entitled "An act for organizing the militia" ;

Reported the same, recommending that the Senate propose to the House to amend, by striking out section one, and substituting the following :

*Sec. 1. Section twenty-three of an act entitled An act for organizing the militia, approved November 22, 1864, and so much of section twenty-four of said act as relates to the annual parade for drill and inspection by company in the month of September, and so much of section twenty-five as authorizes any drill except two days of regimental drill, are hereby repealed.*

On motion of Mr. Hutchinson the bill was

Ordered to lie, and made the special order at eleven o'clock to-morrow morning.

On motion of Mr. Taft the Secretary was directed to procure the printing of three hundred and fifty copies of the proposed amendment for the use of the General Assembly.

Mr. Reed introduced a bill entitled.

S. 71. An act providing for the closing of the business of certain banks;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Porter, from the General Committee to whom was referred a bill entitled

S. 57. An act to incorporate the Waterbury Cemetery Association;

Reported in favor of its passage; and thereupon said bill was

*Ordered* to be engrossed and read the third time.

Mr. Upham, from the Committee on Land Taxes to whom was referred a bill entitled

S. 50. An act laying a tax on the town of Averill;

Reported the same, recommending that the bill be amended:

*First*, In section one, line eight, by inserting after the word "by," the words, *commissioners appointed by*; also, to fill the blank in said section, by inserting the names of *Samuel D. Hobson, Abial F. Woodman and Orlando Shoff*;

Which was agreed to.

*Second*, To fill the blank in section two, by inserting the name of *David Storrs*; also in line six, by striking out the words "are directed," after the word "collector," and inserting the word *shall*;

Which was agreed to.

*Third*, In section two, line eight, by striking out the word "two," after the word "tax";

Which was agreed to; and the bill, as amended, was

*Ordered* to be engrossed and read the third time.

Mr. Upham, from the Committee on Land Taxes to whom was referred a bill entitled

S. 51. An act laying a tax on the town of Norton;

Reported the same, recommending that the bill be amended as follows:

*First*, In section one, line nine, after the word "by," insert the words *commissioners appointed by*; also to fill the blank in said section by inserting the names of *Samuel D. Hobson, Abial F. Woodman and Orlando Shoff*;

Which was agreed to.

*Second*, To fill the blank in section two by inserting the name of *David Storrs*;

Which was agreed to.

*Third*, In section two, lines six and seven, by striking out after the word "collector," the words, "are directed," and inserting the word *shall*; also strike out the word "to," in the ninth line, after the word "tax";

Which was agreed to; and thereupon the bill was

*Ordered* to be engrossed and read the third time.

Mr. Clement, from the Committee on Manufactures to whom was referred Senate bill entitled

S. 64. An act to incorporate the Vermont Iron Company;

Reported in favor of its passage; and thereupon said bill was

*Ordered* to be engrossed and read the third time.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bill entitled

S. 53. An act in relation to the sale of fire and cord wood;

And do not concur in its passage.

Mr. Doton, from the Committee on Education to whom was referred House bill entitled

H. 110. An act to amend section two of chapter seventeen of the General Statutes, in relation to fees of school district clerks;

Reported in favor of its passage; and thereupon said bill was

*Ordered* to be read the third time to-morrow morning.

Mr. Gay, from the Committee on Manufactures to whom was referred Senate bill entitled

S. 65. An act to incorporate the Rutland and Reese River Mining Company;

Reported in favor of its passage; and thereupon said bill was

*Ordered* to be engrossed and read the third time.

Mr. Rublee, from the committee to whom was referred a bill entitled

S. 29. An act to pay Silas Warren the sum therein mentioned;

Reported adversely to its passage; and thereupon the bill was considered, and, on motion of Mr. Chapman, was re-committed to the Committee on Claims.

Mr. Taft, from the Committee on the Judiciary to whom was re-committed Senate bill entitled

S. 7. An act for the support of the poor in the unorganized towns and gores in this State;

Reported the same, without an expression of an opinion. The question being, Shall the bill pass? it was decided in the negative.

On motion of Mr. Dorr, House bill entitled

H. 19. An act to amend section thirty-two, chapter one hundred and twenty-six, of the General Statutes, relating to fees of sheriffs and constables;

Was taken up. Mr. Dorr moved to propose to the House to amend in section one, line twenty-two, by striking out the words, "one dollar and fifty cents," and inserting in lieu thereof the words, *two dollars*;

Which was agreed to.

Also in section one, line nineteen, after the word "dollars," insert the words, *and a half*;

Which was disagreed to; and the question being, Shall the bill pass? it was decided in the affirmative.

Mr. Abbott introduced a bill entitled

S. 72. An act in relation to burial grounds;

Which was read the first and second time, and referred to the Committee on the Judiciary.

Mr. Smith introduced a bill entitled

S. 73. An act to incorporate the St. Albans Manufacturing Company;

Which was read the first and second time, and referred to the Committee on Manufactures.

Mr. Reed, from the Committee on the Judiciary to whom was referred a bill entitled

S. 66. An act to authorize the towns of Stowe, Morris-town, Johnson, HydePark, Eden, Wolcott and Elmore to raise money to build a railroad;

Reported in favor of its passage; and thereupon said bill was

*Ordered* to be engrossed and read the third time.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 131. An act relating to arrest of judgment in civil causes;

Reported in favor of its passage; and thereupon said bill was read the third time and passed in concurrence.

On motion of Mr. Chapman, a bill entitled

S. 28. An act providing for the appointment of an Attorney General, and regulating the fees of State's attorneys;

Was taken up, considered, and the question being, Shall

the amendment proposed by Senator Chapman be adopted? it was decided in the negative; and thereupon the bill was

*Ordered* to be engrossed and read the third time to-morrow morning.

Mr. Cochran, from the Committee on Manufactures to whom was referred House bill entitled

H. 124. An act to incorporate the Wilmington Boot and Shoe Company;

Reported in favor of its passage; and thereupon said bill was read the third time and passed in concurrence.

On motion of Mr. Taft, the Senate adjourned.

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WEDNESDAY, NOVEMBER 8, 1865:

Prayer by the Chaplain.

Journal of yesterday was read and approved.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills, originating in the House, of the following titles:

H. 70. An act to legalize the grand list of the town of Whiting for the year 1864;

H. 71. An act to pay Duron Whittlesey the sum therein mentioned;

H. 82. An act restoring Sewell Hale to his legal rights and privileges;

H. 92. An act to legalize the grand list of the town of Westfield for the year 1864;

H. 116. An act in amendment of section fourteen of chapter eighty-nine of the General Statutes, relating to banks;

H. 96. An act in amendment of section sixteen of chapter twenty-two of the General Statutes, relating to common schools and school laws;

H. 142. An act to incorporate the Neshobee Hotel Company;

H. 149. An act authorizing repairs on the State Prison sewer.

The House have considered Senate bills entitled

S. 19. An act to incorporate the Rutland County Marble Company;

S. 86. An act to incorporate the Green Mountain Silver Mining Company;

S. 38. An act to incorporate the First Congregational Society of West Randolph;

S. 46. An act to incorporate the Chittenden Marble Company;

S. 54. An act to incorporate the Caledonia Manufacturing Company;

And have passed the same in concurrence.

The House have considered Senate bills entitled

S. 33. An act laying a tax on the county of Chittenden;

S. 35. An act to incorporate the Camel's Hump Hotel Company;

S. 39. An act to incorporate the Brandon Aqueduct Company;

S. 47. An act in relation to circus exhibitions;

And have passed the same in concurrence, with proposals of amendment,

In the adoption of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 34. An act for the extinguishment of unorganized towns and gores;

And do not concur in the passage thereof.

The House have passed bills of the following titles:

H. 5. An act in amendment of section six of chapter eighty-three of the General Statutes, and to tax the income of United States bonds;

H. 67. An act to pay certain State officers for extra services;

H. 72. An act to pay James A. Pollard the sum therein mentioned;

H. 78. An act to pay Ira P. Harrington the sum therein mentioned;

H. 108. An act to authorize probate courts to remove and appoint commissioners in certain cases;

H. 114. An act to legalize the grand list of the town of Wilmington for the year 1865 ;

H. 154. An act to incorporate the Wells River Lumber Company ;

H. 168. An act to establish the Vermont Reform School ;

H. 170. An act to incorporate the Scotch Hill Slate Company ;

H. 171. An act to legalize the grand list of the town of Barre for the year 1865 ;

H. 176. An act in amendment of chapter eighteen of the General Statutes, entitled "Of public burial grounds and their enlargement" ;

H. 192. An act in relation to the support of paupers ;

H. 193. An act for the relief of aged and infirm clergymen ;

In the passage of which the concurrence of the Senate is requested.

The House have adopted on their part a joint resolution relating to final adjournment,

In the adoption of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second time, and referred, to wit :

H. 5. An act in amendment of section six of chapter eighty-three of the General Statutes, and to tax the income of United States bonds ;

H. 67. An act to pay certain State officers for extra services ;

H. 72. An act to pay James A. Pollard the sum therein mentioned ;

To the Committee on Finance.

H. 78. An act to pay Ira P. Harrington the sum therein mentioned ;

To the Committee on Claims.

H. 108. An act authorizing probate courts to remove and appoint commissioners in certain cases ;

H. 114. An act to legalize the grand list of the town of Wilmington for the year 1865 ;

H. 171. An act to legalize the grand list of the town of Barre for the year 1865 ;

H. 176. An act in amendment of chapter eighteen of the General Statutes ;

To the Committee on the Judiciary.

H. 154. An act to incorporate the Wells River Lumber Company ;

To the General Committee.

H. 170. An act to incorporate the Scotch Hill Slate Company ;

To the Committee on Manufactures.

House bill entitled

H. 168. An act to establish the Vermont Reform School ;

Was read the first and second time, and, on motion of Mr. Dorr, was referred to the special committee on so much of the Governor's messages as relates to juvenile offenders.

A message was received from his Excellency, the Governor, by Mr. Gay, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor to inform the Senate that he has approved and signed bills originating in the Senate of the following titles :

S. 31. An act to incorporate the Bird Mountain Observatory Association ;

S. 43. An act to protect fish in Beaver pond.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to request the Senate to return to the House House bill entitled

H. 5. An act in amendment of section six, chapter eighty-three, of the General Statutes, and to tax the income of United States bonds.

House bills of the following titles were severally read the first and second time, and referred, to wit :

H. 192. An act in relation to the support of paupers ;

H. 193. An act for the relief of aged and infirm clergymen ;

To the Committee on the Judiciary.

On motion of Mr. Abbott, the vote ordering to a second reading House bill entitled

H. 5. An act in amendment of section six of chapter eighty-three of the General Statutes, and to tax the income of United States bonds ;

Was reconsidered ; and thereupon the Senate voted to return said bill to the possession of the House of Representatives, agreeably to their request.

A joint resolution from the House of Representatives :

*Resolved by the Senate and House of Representatives,*  
That the joint resolution fixing the time for a final adjourn-

ment on Thursday, the 9th instant, is hereby rescinded, and that the President of the Senate and Speaker of the House of Representatives are hereby directed to adjourn their respective Houses, without day, on Friday, the 10th instant, at eight o'clock, A. M. ;

Which was read ; and, on motion of Mr. Richmond,  
*Ordered* to lie.

Mr. Taft introduced a bill entitled

S. 74. An act in alteration of chapter seven, entitled, " Of the State Library " ;

Which was read the first and second time, and referred to the Committee on Finance.

Mr. Hutchinson introduced a bill entitled

S. 75. An act extending the charter of the Orange County Bank ;

Which was read the first and second time, and referred to the Committee on Banks.

Mr. Abbott introduced the following joint resolution :

*Resolved by the Senate and House of Representatives,*  
That the attention of the state of Connecticut be respectfully invited to the subject of the improvident destruction of the shad in the Connecticut river, and especially near its mouth, by means of gill-nets and otherwise, and that the state be earnestly requested as a matter of comity between sister states, to so regulate the fishing in that river as to allow the free and unobstructed passage of all kinds of sea-fish into it, during such portions of the time as will be sufficient to stock the upper waters of that river and its tributaries, with a reasonable supply of such fish ;

*Resolved,* That his Excellency, the Governor, be requested to transmit to the Governor of the state of Connecticut, and also of the states of Massachusetts and New Hampshire, copies of these resolutions, with a request that they be laid before their respective legislatures ;

Which was read and adopted on the part of the Senate.

*Engrossed bill*

S. 28. An act providing for the appointment of an Attorney General, and regulating the fees of State's attorneys ;

Was read the third time. Mr. Chapman moved to commit to a senator to amend, by striking out sections one, two and three of said bill ;

Which was disagreed to.

Mr. Chapman moved to commit to a senator to amend by

striking out in section four after the word "of," the words "fifty dollars," and inserting in lieu thereof the words, *seventy-five dollars*. Also to strike out the word "fifty," before the word dollar, in section four, line fifteen, and insert in lieu thereof the word *seventy-five*;

Which was disagreed to.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bill entitled

S. 26. An act relating to the duties of school district clerks;

And have passed the same in concurrence.

The House have considered Senate proposal of amendment to House bill entitled

H. 19. An act to amend section thirty-two of chapter one hundred and twenty-six of the General Statutes, relating to fees of sheriffs and constables;

And have not adopted the amendment in concurrence.

Engrossed bills of the following titles were severally read the third time and passed:

S. 49. An act to incorporate the Rutland County Slate Company;

S. 50. An act laying a tax on the town of Averill;

S. 51. An act laying a tax on the town of Norton.

Senate bill entitled

S. 33. An act laying a tax on the county of Chittenden;

Was taken up, and the following proposal of amendment from the House was agreed to: to strike out in section three, line seven, the figures "1865," and insert 1866.

Senate bill entitled

S. 39. An act to incorporate the Brandon Aqueduct Company;

Which had been returned from the House, was taken up; and the House proposal of amendment, as follows, was agreed to.

Strike out all after line eighteen of section four and insert in lieu the following: *by petition in writing setting forth the cause of complaint to the judges of the county court, for the county of Rutland, praying that a committee may be appointed to appraise the damages sustained by such owners or occupants of the lands so entered upon, and the clerk of said court, on the filing of said petition, shall*

*issue a citation to all persons interested in such lands, giving at least twelve days notice of the time and place of hearing before said judges, to appear and show cause, if any, why the prayer of said petition should not be granted. And said judges, on such hearing, may appoint three disinterested persons to appraise the damages sustained by such owners or occupants of such lands; and said committee, before proceeding to appraise such damage, shall give reasonable notice to all persons interested in such lands, claiming damage, and to said corporation, of the time and place of hearing on such damages; and said committee on such hearing shall assess such damages to the owners or occupants of such lands as shall be just and equitable, and make report of the same to the county court for the county of Rutland at its first session thereafter; and if the report of said committee shall be accepted upon hearing, said court may render judgment thereon for such damages and costs as said court shall deem just and equitable, and issue execution for the same.*

Engrossed bill entitled

S. 47. An act in relation to circus exhibitions;

Having been returned from the House with a proposal of amendment as follows: to strike out, in section one, line twenty-one, the word "two," and insert in lieu thereof the word *three*;

Said proposal of amendment was agreed to.

Mr. Chapman introduced the following joint resolution:

*Resolved by the Senate and House of Representatives,* That in the opinion of the General Assembly it is the imperative duty of the several State's attorneys in the counties where any itinerant circus company or theatrical performers during the past year may have exhibited, in open violation of law, to institute proceedings of prosecution before the county grand jurors, that may be summoned and convened next year after, so that if it shall appear that any person or persons have come from a foreign state and thus publicly disregarded the laws of the land, and if indictments shall be found against such person or persons, the Executive of this State may make requisitions upon the executive of the state where such offenders may reside or be found, and they be brought within this State for punishment, as may be by the statute in such case made and provided.

Which was read, considered, and, on motion of Mr. Soule,  
*Ordered* to lie.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate bills entitled

S. 37. An act to incorporate the Star Silver Mining Company of Nevada ;

S. 42. An act to incorporate the Brandon Mineral Paint Company ;

S. 44. An act to incorporate the McLeran's Falls Manufacturing Company.

And have passed the same in concurrence.

The House have considered Senate bills entitled

S. 18. An act to amend an act entitled "An act to incorporate the city of Burlington," approved November 22, 1864.

S. 55. An act to incorporate the Waterbury Falls and Crouching Lion Hotel and Road Company ;

S. 58. An act to incorporate the Hydeville Manufacturing Company ;

S. 62. An act to incorporate the Rutland County Manufacturing Company ;

And have passed the same in concurrence, with proposals of amendment,

In the adoption of which the concurrence of the Senate is requested.

Engrossed bill entitled

S. 55. An act to incorporate the Waterbury Falls and Crouching Lion Hotel and Road Company ;

Was taken up, having been returned from the House with a proposal of amendment as follows : in section three, by striking out in the last two lines the words, "to an amount equal to the amount of stock they shall have in said company" ;

Which was agreed to.

Engrossed bill entitled

S. 58. An act to incorporate the Hydeville Manufacturing Company ;

Having been returned from the House with proposal of amendment as follows : In section seven, line eight, by striking out all after the word "holden," and inserting in lieu thereof the words, *for such excess to the creditors of said corporation* ;

Which was agreed to.

Mr. Hyde introduced a bill entitled

S. 76. An act to amend an act entitled "An act to incor-

porate the Rutland Steam Marble Company," approved November 17, 1856;

Which was read the first and second time, and referred to the Committee on Manufactures.

Engrossed bill entitled

S. 62. An act to incorporate the Rutland County Manufacturing Company;

Was taken up, having been returned from the House with a proposal of amendment as follows: in section seven, line eight, by striking out all after the word "corporation";

Which was agreed to.

Mr. Hyde, from the Committee on Finance to whom was referred House bill entitled

H: 178. An act to tax deposits in savings banks;

Reported the same recommending that the Senate propose to the House to amend by striking out section one and inserting the following:

*Sec. 1. It shall be the duty of the treasurer of every institution for savings, or savings bank in this State, on the first Monday of May, in each year, to transmit to the Auditor of Accounts of this State a correct statement, under oath, of the amount of deposits, surplus profits and unpaid dividends in their several institutions for savings or savings banks, at the close of business on the last Saturday of April preceding; also to transmit to the Treasurer of the State a duplicate statement of the same, together with the payment of a tax of three-fourths of one per cent. upon the amount of such deposits, surplus profits and unpaid dividends, and payment to be made on or before the first day of June in each year.*

*Sec. 2. Section forty of chapter eighty-six of the General Statutes, and an act entitled an act to amend section forty, chapter eighty-six of the General Statutes, entitled of private corporations, approved November 11, 1863, are hereby repealed.*

Which was agreed to, and, on motion of Mr. Taft, it was Ordered to lie.

On motion of Mr. Taft, engrossed bill entitled

S. 7. An act for the support of the poor in the unorganized towns and gores of this State;

Was taken up; and the vote by which its passage was refused, was reconsidered, and, on motion of Mr. Crane, it was

Ordered to lie.

Mr. Porter, from the General Committee to whom was referred House bill entitled

H. 182. An act to protect fish in Otter Creek;

Reported in favor of its passage; and thereupon said bill was read the third time, and passed in concurrence.

Engrossed bills of the following titles were severally read the third time and passed:

S. 57. An act to incorporate the Waterbury Cemetery Association;

S. 64. An act to incorporate the Vermont Iron Company;

S. 65. An act to incorporate the Rutland and Reese River Mining Company;

S. 66. An act authorizing the towns of Stowe, Morris-town, Hydepark, Johnson, Eden, Wolcott and Elmore, to raise money to build a railroad.

Engrossed bill entitled

S. 52. An act relating to probate fees and salaries;

Was read the third time. Mr. Chapman moved to commit the bill to a senator to amend in section one, line twenty-two, by striking out the word "seven," and inserting in lieu thereof the word *eight*;

Which was agreed to; and the President designated Mr. Chapman as the senator to whom the bill should be committed to amend, under the instructions of the Senate.

Mr. Chapman, to whom was committed engrossed bill entitled

S. 52. An act relating to probate fees and salaries;

Reported the same amended agreeably to the instructions of the Senate. Mr. Taft moved that the bill be committed to a senator to further amend, in section two, ~~line twelve~~, by inserting after the word "each," the words, *order for*; also, by adding to section two the words, *for each hearing on appointment of guardian for insane person, spendthrift or absconding person, the sum of three dollars for each day's hearing*;

Which were agreed to; and the President designated Mr. Taft as the senator to whom the bill should be committed to amend, under the instructions of the Senate.

Mr. Taft, to whom was committed engrossed bill entitled

S. 52. An act relating to probate fees and salaries;

Reported the same amended agreeably to the instructions of the Senate; and thereupon said bill was passed.

House bill entitled

H. 64. An act in amendment of chapter eighty-three of the General Statutes, entitled "Of the grand list";

Was read the third time and passed in concurrence, with a proposal of amendment.

House bill entitled

H. 110. An act to amend section second of chapter seventeen of the General Statutes, in relation to fees of school district clerks;

Was read the third time and passed in concurrence.

Mr. Barrett, from the Committee on Education to whom was referred a bill entitled

S. 67. An act to incorporate the Young Men's Association of Burlington;

Reported in favor of its passage; and thereupon said bill was

*Ordered* to be engrossed and read the third time.

Mr. Barrett, from the Committee on Education to whom was referred House bill entitled

H. 125. An act to incorporate the West Rupert Educational Institute;

Reported in favor of its passage; and thereupon said bill was read the third time, and passed in concurrence.

Mr. Crane introduced a bill entitled

S. 77. An act to preserve fish in the ponds of the town of Richmond;

Which was read the first and second time, and referred to the General Committee.

Mr. Cochran, from the Committee on Manufactures to whom was referred a bill entitled

S. 73. An act to incorporate the St. Albans Manufacturing Company;

Reported in favor of its passage; and thereupon said bill was

*Ordered* to be engrossed and read the third time.

Mr. Hobart, from the Committee on Elections to whom was referred House bill entitled

H. 177. An act in amendment of an act entitled "An act to prevent illegal voting, and in addition to chapter fifteen of the General Statutes," approved November 21, 1864;

Reported in favor of its passage; and thereupon said bill was read the third time and passed in concurrence.

Mr. Porter, from the General Committee to whom was referred House bill entitled

H. 165. An act amending the first section of an act entitled "An act to incorporate the Montpelier Hotel Company," approved November 22, 1864;

Reported in favor of its passage; and thereupon said bill was read the third time and passed in concurrence.

On motion of Mr. Taft, the Senate adjourned.

### AFTERNOON.

Mr. Tabor, from the General Committee to whom were referred House bills entitled

H. 194. An act for the preservation of fish at the mouth of West River and the waters adjacent thereto;

H. 107. An act to incorporate the Woodstock Hotel Company;

Reported in favor of their passage; and thereupon each of said bills were read the third time, and passed in concurrence.

Senate bill entitled

S. 71. An act providing for the closing of the business of certain banks;

Was taken up and referred to the Committee on Banks.

Senate bill entitled

S. 70. An act in relation to the sale of shares of stock in private corporations for the non-payment of assessments;

Was taken up and referred to the Committee on the Judiciary.

House bill entitled

H. 19. An act to amend section thirty-two, chapter one hundred and twenty-six, of the General Statutes, relating to fees of sheriffs and constables;

Was taken up, the House having refused concurrence in the Senate proposal of amendment to said bill. The question being, Will the Senate insist upon its proposal? it was decided in the negative; and thereupon the Senate receded from its said proposal of amendment.

Engrossed bills of the following titles were severally read the third time, and passed, to wit:

S. 67. An act to incorporate the Young Men's Association of Burlington;

S. 73. An act to incorporate the St. Albans Manufacturing Company.

Mr. Clement, from the Committee on Manufactures to whom was referred a bill entitled

S. 63. An act to incorporate the Chittenden Kaolin and Paint Company;

Reported in favor of its passage; and thereupon the bill was *Ordered* to be engrossed and read the third time.

Mr. Taft, from the Committee on the Judiciary to whom was referred a bill entitled

S. 60. An act in relation to appeals in criminal cases;

Reported in favor of its passage; and thereupon said bill was

*Ordered* to be engrossed and read the third time.

Mr. Taft, from the Committee on the Judiciary to whom was referred a joint resolution relating to the publication of the Directory for 1866,

Reported in favor of its adoption; and thereupon the resolution was adopted on the part of the Senate.

Mr. Taft, from the Committee on the Judiciary to whom were referred House bills entitled

H. 25. An act in relation to dower and homestead;

H. 68. An act to exempt the proceeds of certain property from attachment by the trustee process;

H. 115. An act to provide for payment of costs before probate courts in certain cases;

H. 132. An act to legalize the grand list of the town of Brookfield for the year 1864;

Reported in favor of their passage; and thereupon each of said bills were severally read the third time, and passed in concurrence.

Mr. Taft, from the Committee on the Judiciary to whom was referred House bill entitled

H. 126. An act to legalize the grand list of the town of Sunderland for the year 1865;

Reported in favor of its passage; and thereupon said bill was read the third time, and passed in concurrence.

Mr. Reed, from the Committee on the Judiciary to whom was referred a joint resolution to report the reason of delay in the publication of the Vermont Reports, reported that they had, in part, performed the duties referred to them, and recommended the passage of the accompanying bill.

A bill reported by the Judiciary Committee entitled  
S. 78. An act in relation to the Reporter of the decisions  
of the Supreme Court ;

Was read the first and second time, and, on motion of Mr  
Taft,

*Ordered to lie.*

Mr. Howe, from the Committee on Claims to whom was  
referred a bill entitled

S. 68. An act to pay William Phelps, Alexander Gun-  
son and Robert Bard, the sum therein mentioned ;

Reported in favor of its passage ; and thereupon said bill was  
*Ordered* to be engrossed and read the third time.

Mr. Pennock, from the Committee on Claims to whom  
was referred House bill entitled

H. 78. An act to pay Ira P. Harrington the sum therein  
mentioned ;

Reported in favor of its passage ; and thereupon said bill  
was read the third time and passed in concurrence.

Mr. Henry, from the special committee to whom was re-  
ferred a joint resolution relative to the military property of  
the United States, now in the custody of this State, reported  
that the committee do not consider any further action neces-  
sary at the present session, accompanied with a communica-  
tion from General Perley P. Pitkin, Quartermaster General  
of the State, relating to the same subject ;

Which was read.

(For letter see Appendix.)

A message was received from the House of Representa-  
tives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that  
the Governor has informed the House that he has approved  
and signed bills, originating in the House, of the following  
titles :

H. 27. An act to amend section thirty-five of chapter  
eighty-four of the General Statutes, relating to the collection  
of taxes by the trustee process ;

H. 32. An act to incorporate the Vermont Gold Mining  
Company ;

H. 37. An act laying a tax on the lands in Goshen  
Gore, in Caledonia County ;

H. 76. An act relating to the pay of town superintend-  
ents of common schools ;

H. 77. An act for the protection of deer ;

H. 94. An act to extend the jurisdiction of justices of the peace in actions of *scire facias*;

H. 99. An act regulating the fees of justices;

H. 106. An act to incorporate the West Pawlet Dairy Association;

H. 121. An act to legalize the action of towns in raising soldiers and taxes assessed for certain purposes;

H. 133. An act to incorporate the Brandon Marble Company;

H. 137. An act to incorporate the Bakersfield and Waterville Turnpike Road Company;

H. 158. An act to incorporate the Stamford Manufacturing Company;

H. 159. An act to protect fish in Monkton pond.

The House have considered Senate bills entitled

S. 6. An act repealing the act creating and establishing the office of Railroad Commissioner;

S. 20. An act to amend sections eighty-three and eighty-six of chapter twenty-two of the General Statutes, relating to the distribution of school moneys;

And have refused to pass the same in concurrence.

They have passed bills entitled as follows:

H. 5. An act in amendment of section six of chapter eighty-three of the General Statutes, and to tax the income of United States bonds, &c.;

H. 202. An act defining the duties of certain State officers, and for the protection and benefit of the treasury;

In the passage of which the concurrence of the Senate is requested.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bills entitled

S. 30. An act relating to the duties of teachers of common schools;

S. 57. An act to incorporate the Waterbury Cemetery Association;

And have passed the same in concurrence.

The House have considered Senate bill entitled

S. 12. An act determining the liabilities of persons erecting fences within the limits of highways;

And have refused to concur in the passage thereof.

The House have considered Senate proposal of amendment to House bill entitled

H. 64. An act in amendment of chapter eighty-three of the General Statutes, entitled "Of the grand list";

And have adopted the same in concurrence.

The House have considered a joint resolution from the Senate relating to improvident destruction of shad in the Connecticut river, and have adopted the same in concurrence.

Engrossed bill entitled

S. 63. An act to incorporate the Chittenden Kaolin and Paint Company;

Was read the third time and passed.

House bills of the following titles were severally read the first and second time, and referred, to wit:

H. 5. An act in amendment of section six, chapter eighty-three, of the General Statutes, and to tax the income of United States bonds, &c.;

H. 202. An act defining the duties of certain State officers, and for the protection and benefit of the treasury;

To the Committee on Finance.

Mr. Taft introduced a bill entitled

S. 80. An act for the aid of drafted soldiers;

Which was read the first and second time, and referred to the Committee on Military Affairs.

Mr. Upham, from General Committee to whom was referred House bill entitled

H. 138. An act to incorporate the West Addison Cemetery Association;

Reported in favor of its passage; and thereupon said bill was read the third time, and passed in concurrence.

A message was received from his Excellency, the Governor, by Mr. Gay, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT: I am directed by the Governor to inform the Senate that he has approved and signed a bill, originating in the Senate, of the following title:

S. 36. An act to incorporate the Green Mountain Silver Mining Company.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bill entitled

S. 41. An act to incorporate the University of Vermont and State Agricultural College;

And have passed the same in concurrence, with a proposal of amendment.

Engrossed bill entitled

S. 47. An act in relation to circus exhibitions;

Was taken up, having been returned from the House with the following proposal of amendment: In section one, line twenty-one, by striking out the word "two," and inserting in lieu thereof the word *three*;

Which was agreed to.

Mr. Upham, from the General Committee to whom was referred House bill entitled

H. 141. An act to incorporate the Sutherland Falls Hotel Company;

Reported in favor of its passage; and thereupon said bill was read the third time and passed in concurrence.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 191. An act extending the power of trustees of incorporated villages;

Reported the same, recommending that the Senate propose to the House to amend as follows:

*First*, In section one, in lines four, five and six, after the word "trustees," insert the words, *or bailiffs*;

Which was agreed to.

*Second*, Strike out all of the bill after the first section, and insert in lieu thereof the following sections:

*Sec. 2. Each of the police force so appointed, shall be sworn to the faithful discharge of the duties of the office, and shall have the same power in preserving the peace, in arresting offenders, in serving process in criminal prosecutions, and in all criminal matters, that constables by law now have.*

*Sec. 3. Said trustees or bailiffs may employ said police as watchmen and patrols, and assign to them their duties as such, and agree with them for their compensation which shall be paid by their several villages;*

Which was agreed to.

*Third*, Strike out the present title, and in lieu thereof substitute the following: *An act to provide a police force for incorporated villages;*

Which was agreed to; and thereupon said bill was read the

third time and passed in concurrence with proposals of amendment.

Engrossed bills entitled

S. 60. An act in relation to appeals in criminal cases ;  
Was read the third time and passed.

Mr. Chapman, from the Committee on Finance to whom was referred House bills entitled

H. 67. An act to pay certain State officers for extra services ;

H. 72. An act to pay James A. Pollard the sum therein mentioned ;

Reported in favor of their passage ; and thereupon each of said bills were severally read the third time and passed in concurrence.

On motion of Mr. Chapman the joint resolution in relation to the distribution of the Report of the Adjutant and Inspector General, for 1864,

Was taken up ; and thereupon the resolution was adopted.

Mr. Smith, from the Committee on Banks to whom was referred a bill entitled.

S. 45 An act relating to the circulation of banks becoming banking associations under the laws of the United States ;

S. 61. An act prescribing a limitation for the redemption of bank bills ;

Reported adversely to the passage of the same ; and thereupon the engrossment and third reading of each of said bills were refused.

Mr. Howe introduced a bill entitled

S. 79. An act to change the name of the Pittsford Marble Company ;

Which was read the first and second time, and referred to the Committee on Manufactures.

Mr. Porter, from the General Committee to whom was referred House bill entitled

H. 98. An act to incorporate the Dellwood Cemetery Association ;

Reported in favor of its passage ; and thereupon said bill was read the third time and passed in concurrence.

Mr. Gay, from the Committee on Manufactures to whom was referred House bill entitled

H. 93. An act to incorporate the Newbury Lime and Cement Company ;

Reported in favor of its passage ; and thereupon said bill was read the third time and passed in concurrence.

On motion of Mr. Richmond, a joint resolution relative to final adjournment, was taken up, and adopted in concurrence.

A message was received from his Excellency, the Governor, by Mr. Gay, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the Governor has approved and signed bills originating in the Senate of the following titles :

S. 19. An act to incorporate the Rutland County Marble Company ;

S. 26. An act relating to the duties of school district clerks ;

S. 37. An act to incorporate the Star Silver Mining Company of Nevada ;

S. 38. An act to incorporate the First Congregational Society of West Randolph ;

S. 42. An act to incorporate the Brandon Mineral Paint Company ;

S. 44. An act to incorporate the McLeran's Falls Manufacturing Company ;

S. 46. An act to incorporate the Chittenden Marble Company ;

S. 54. An act to incorporate the Caledonia Manufacturing Company.

Engrossed bill entitled

S. 41. An act to incorporate the University of Vermont and State Agricultural College ;

Was taken up, having been returned from the House of Representatives with proposals of amendment as follows :

The House propose to the Senate to amend this bill by striking out the word "November," in line three, of section two, and inserting in lieu thereof the word *December*.

Also by striking out the words in section two, between the word "created," in line seven, and the word "shall," in line twelve, and inserting in lieu thereof the following : *And the nine trustees of the said Agricultural College, so elected, shall be divided by lot into three classes; the first class, consisting of three members, shall vacate their office at the end of two years from the time of their election; the second class, consisting of three members, shall vacate their office at the end of four years from the time of their election; and the third class, consisting of three members, shall vacate their office at the end of six years from the*

*time of their election. And it shall be the duty of the Legislature, at its session next preceding the time of the expiration of the terms of office of said trustees, to elect persons to supply such vacancies, whose terms of office shall continue six years; and it shall be the duty of the said nine trustees of the University of Vermont to elect successors to fill any vacancy which may occur among their number, and all the trustees so elected as is hereinbefore provided.*

Said proposals of amendment were adopted in concurrence.

Mr. Reed, from the Committee on the Judiciary to whom was referred a bill entitled

S. 40. An act in relation to corporations ;

Reported the same without an expression of opinion ; and thereupon the engrossment and third reading of said bill was refused.

Mr. Upham, from the General Committee to whom was referred Senate bill entitled

S. 77. An act to preserve fish in the ponds in the town of Richmond ;

Reported in favor of its passage ; and thereupon said bill was *Ordered* to be engrossed and read the third time.

Mr. Upham, from the General Committee to whom was referred House bill entitled

H. 154. An act to incorporate the Wells River Lumber Company ;

Reported in favor of its passage ; and thereupon said bill was read the third time, and passed in concurrence.

Mr. Abbott introduced a bill entitled

S. 81. An act to incorporate the New England Steam Plow Company ;

Which was read the first and second time, and referred to the Committee on Manufactures.

On motion of Mr. Porter, the Senate adjourned.

THURSDAY, NOVEMBER 9, 1865.

Prayer was offered by the Chaplain, as follows :

OUR FATHER WHICH ART IN HEAVEN :—We adore thee as the only living and true God ; infinite, eternal and unchangeable in thy wisdom, power, holiness, justice, mercy, goodness and truth ; the Creator and Preserver of all things, the Supreme Ruler of the universe, governing all its concerns by a providence so universal, that while it directs the planets in their orbits, it also numbers the hairs of our heads ; the bountiful Benefactor of every living thing, the Lawgiver and the final Judge of all intelligent beings.

We acknowledge our own unworthiness, and that between thee and us there is an infinite distance by reason of our depraved natures and our sinful lives. We confess our sins, not only of conduct, but of speech, of thought and of feeling, and we pray that our sins may be forgiven for the sake of Him who loved us and gave himself for us, and that by thy grace we may be enabled to utterly forsake our sins and henceforth to conform our lives to the requirements of thy holy law. We render thee thanks for the rich blessings of thy providence, and the richer blessings of thy grace which are bestowed upon us. To thee are we indebted for the supply of all our wants, and from thee, the Father of Light, cometh every good and perfect gift. Thou causeth our lines to fall in pleasant places as respects the affairs of this life, and we are under constant obligations of gratitude for thy goodness in that regard. But we are under stronger obligations, and we render thee more fervent thanks, for thy great mercy in giving thy Son to die for us, and thy Spirit to regenerate and sanctify us. We thank thee for thy favorable regard of this General Assembly. Thou hast preserved the lives of all its members, and continued to them possession of reason, and judgment, and conscience, by which they have been qualified to perform their duties as legislators. And though it has pleased thee, in thy wise and sovereign pleasure, to afflict some of them by the death of beloved kindred, yet we are assured that even these afflictive dealings of thy providence are designed to promote their highest good.

We pray that thy blessing rest upon this body, and that during the brief period which now remains before its labors shall come to an end, it may have thy guidance and assistance, and such a supply of the wisdom that is profitable to direct as may ensure the right performance of all remaining duties. Preserve from any ill-advised legislation during the hurry of the closing hours. Enable every member to give to each subject the full attention which its importance demands, and may all the laws of the present session be such as will have thine approval, secure the obedience of the people, and promote the true interests of the State. And when the hour of final separation shall come, and these legislators shall part never again to meet till they meet before thy bar, may they be at peace with themselves, with each other, and with thee, and have a happy consciousness that they have faithfully discharged their duties to their constituents and the State. Watch over them, as they go their several ways, keep them from all harm, restore them safely to their families, and finally, through thy rich grace in Jesus Christ, save them with an everlasting salvation.

And unto thee, Father of Mercies, and God of all Grace, and unto thy Son, our Saviour, and unto thy Holy Spirit, our Sanctifier, be glory as it was in the beginning, is now, and ever shall be.

On motion of Mr. Abbott, the reading of the journal of yesterday was dispensed with.

Engrossed bills entitled

S. 68. An act to pay William Phelps, Alexander Garrison and Robert Bard the sum therein mentioned ;

S. 77. An act to preserve fish in the ponds in the town of Richmond ;

Were severally read the third time and passed.

Mr. Chapman introduced the following joint resolution :

*Resolved by the Senate and House of Representatives,*  
That the fourteenth joint rule be, and the same is, hereby suspended during the remainder of the session ;

Which was read, and adopted on the part of the Senate.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

Mr. PRESIDENT : I am directed to inform the Senate that the House have considered Senate bills entitled

S. 32. An act to amend section seventy-three of chapter thirty of the General Statutes ;

S. 50. An act laying a tax on the town of Averill ;

S. 63. An act to incorporate the Chittenden Kaolin and Paint Company ;

And have passed the same in concurrence.

The House have considered Senate bills entitled

S. 48. An act to incorporate the Addison County Marble Company ;

S. 49. An act to incorporate the Rutland County Slate Company ;

S. 51. An act laying a tax on the town of Norton ;

S. 73. An act to incorporate the St. Albans Manufacturing Company ;

And have passed the same in concurrence, with proposals of amendment,

In the adoption of which the concurrence of the Senate is requested.

The House have passed bills entitled

H. 52. An act laying a tax on the county of Orange ;

H. 100. An act to incorporate the Fairhaven and Chicago Slate Company ;

H. 155. An act to incorporate the Otter Creek Marble Company ;

H. 166. An act to amend an act entitled "An act to incorporate the village of Rutland," approved November 15, 1847 ;

H. 169. An act to incorporate the United States Agricultural and Mining Company ;

H. 196. An act concerning the grand list ;

H. 200. An act to incorporate the Enosburgh Cheese Manufacturing Company ;

H. 203. An act to incorporate the Highgate Manufacturing Company ;

In the passage of which the concurrence of the Senate is requested.

Mr. Chapman, from the Committee on Finance to whom was referred so much of the Governor's message as relates to the deaf, dumb and blind, submitted the following report :

The Committee on Finance to whom was referred so much of the Governor's message as relates to the deaf, dumb and blind, respectfully report that they have had the subject of said message under consideration, and find that in the year 1825, in the days of Gov. Van Ness, Ezra Butler and Horace Everett, the Legislature very wisely took measures to pro-

vide for the education, at the expense of the State, of that interesting class of our youth named in the message as deaf and dumb, at the city of Hartford, Connecticut, in the American Asylum, an institution peculiarly adapted for that purpose, and established by benevolent men and philanthropists, with the express and sole object of benefitting that unfortunate class. Similar care has been taken to provide for the education of the blind.

These efforts have proved an entire success, and annually, since the first appropriation was made, money from the treasury has been drawn sufficient, and within the limits of the appropriation authorized, to maintain and support all such beneficiaries of the State, until the past year.

Since the commencement, however, of the war, undertaken and waged by an arrogant and pretentious portion of the people of the Southern States of the Union, because they despised New England and her moral and religious institutions, and for the purpose of destroying her influence by building up and sustaining the "peculiar institution" of that Southern people, so deaf to the voice of reason, dumb to the calls of true civilization, and blind to their own true interests, the costs of defending the Government which protects our benevolent institutions and preserves to us the enjoyment of all our blessings, has so increased the expense of supporting those public schools where our beneficiary children are now in attendance, that our State finds it necessary to furnish further funds, as stated in the message of his Excellency, the Governor.

Your committee, therefore, report the accompanying bill and recommend its passage.

CLARK H. CHAPMAN, for Committee.

A bill reported by the Committee on Finance entitled

S. 82. An act in amendment of section two, of chapter twenty-three of the General Statutes, entitled "Of instruction of the deaf, dumb and blind";

Was read the first and second time, and

*Ordered* to be engrossed and read the third time.

Mr. Dorr, from the select committee to whom was referred House bill entitled

H. 168. An act to establish the Vermont Reform School;

Reported the same, recommending that the Senate propose to the House to amend the bill as follows:

*First*, in section six, line three, strike out the words, "until they may be of legal age";

*Second*, In section nine, by striking out all between the word "school," in line two, and the word "and," in line twelve, and inserting in lieu thereof the words, *and the commissioners shall find him incorrigible, or shall deem his continuance injurious to its management or discipline, they shall certify the mittimus by which he is held, and the mittimus with such certificate shall be returned to the county court next to be held in the county where such minor shall have been convicted or sentenced; whereupon said county court shall in their discretion either remit such minor to said Reform School for further and more severe discipline, or to the county jail or State Prison, to be there imprisoned for the remainder of the term for which said convict was sentenced;*

*Third*, In same section, line thirteen, after the word "power," insert the words, *with the approval of the Governor;*

Which was agreed to. Whereupon said bill was read the third time and passed in concurrence.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered a joint resolution in relation to the reconstruction of the states recently in rebellion against the United States; also

A joint resolution relating to the library;

And have adopted the same in concurrence.

The House have also considered a joint resolution from the Senate, suspending the fourteenth joint rule;

And have adopted the same in concurrence.

The House have adopted a joint resolution endorsing the administration of Andrew Johnson,

In the adoption of which the concurrence of the Senate is requested.

The House have passed bills entitled

H. 167. An act to amend section thirty-one of chapter one hundred and twenty-six of the General Statutes, relating to fees of county clerks;

H. 172. An act to amend section two of chapter forty-eight of the General Statutes, relating to probate courts;

In the passage of which the concurrence of the Senate is requested.

Mr. Meacham, from the Committee on Banks to whom was referred a bill entitled

S. 71. An act to provide for the closing of the business of certain banks;

Reported in favor of its passage; and thereupon said bill was

*Ordered* to be engrossed and read the third time.

Mr. Hyde, from the Committee on Finance to whom was referred a bill entitled

S. 74. An act in alteration of chapter seven of the General Statutes, entitled "Of the State library";

Reported in favor of its passage; and thereupon said bill was

*Ordered* to be engrossed and read the third time this afternoon.

Mr. Meacham, from the Committee on Banks to whom was referred a bill entitled

S. 75. An act extending the charter of Orange County Bank;

Reported in favor of its passage; and thereupon said bill was

*Ordered* to be engrossed and read the third time.

Mr. Taft, from the Committee on the Judiciary to whom was referred House bills entitled

H. 108. An act authorizing probate courts to remove and appoint commissioners in certain cases;

H. 114. An act to legalize the grand list of the town of Wilmington for the year 1865;

H. 171. An act to legalize the grand list of the town of Barre for the year 1865;

H. 176. An act in amendment of chapter eighteen of the General Statutes, entitled "Of public burial grounds and their enlargement";

Reported in favor of their passage; and thereupon each of said bills were read the third time, and passed in concurrence.

Mr. Pennock, from the Committee on Claims to whom was referred a bill entitled

S. 59. An act to pay William Storrs the sum therein mentioned;

Reported in favor of its passage; and thereupon said bill was

*Ordered* to be engrossed and read the third time.

Engrossed bill entitled

S. 48. An act to incorporate the Addison County Marble Company;

Was taken up, having been returned from the House with a proposal of amendment as follows: To strike out all of section one, after the word "estate," in line sixteen;

Which was agreed to.

Engrossed bill entitled

S. 49. An act to incorporate the Rutland County Slate Company;

Was taken up, having been returned from the House with a proposal of amendment as follows: In section two, line thirty-three, strike out all after the word "company," and insert in lieu thereof the words, *for such excess*.

Which was agreed to.

Mr. Crane, from the Committee on Military Affairs to whom was recommitted House bill entitled

H. 120. An act to amend an act entitled "An act for organizing the militia";

Reported the same back to the Senate, with the amendment previously reported by the committee on the 7th instant.

The question being, Shall the amendment be adopted? Mr. Cochran moved to amend by striking out the word "two," and inserting the word *one*;

Which was disagreed to.

Mr. Smith moved that the bill be

Ordered to lie, and made the special order for three o'clock this afternoon;

Which was disagreed to. The question being, Shall the amendment be adopted? it was decided in the negative—yeas 10, nays 18.

Mr. Chapman having demanded the yeas and nays, they were taken, and are as follows:

Those senators who voted in the affirmative are Messrs.

Crane,  
Bacon,  
Henry,  
Hutchinson,

Porter,  
Pennock,  
Reed,

Richmond,  
Rublee,  
Smith—10.

Those senators who voted in the negative are Messrs.

Abbott,  
Allen,  
Barrett,  
Chapman,  
Clement,  
Cochran,

Dorr,  
Gay,  
Hobart,  
Howe,  
Hyde,  
Ide,

Meacham,  
Park,  
Soule,  
Tabor,  
Taft,  
Upham—18.

So the amendment was disagreed to.

Mr. Crane moved that the Senate adjourn, which was disagreed to.

The question being, Shall the bill be read the third time? it was decided in the affirmative. Whereupon said bill was read the third time, and passed in concurrence.

On motion of Mr. Hyde, the Senate adjourned.

### AFTERNOON.

A message was received from his Excellency, the Governor, by Mr. Gay, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor to inform the Senate that he has approved and signed bills, originating in the Senate, of the following titles :

S. 80. An act relating to the duties of teachers of common schools ;

S. 39. An act to incorporate the Brandon Aqueduct Company ;

S. 55. An act to incorporate the Waterbury Falls and Crouching Lion Hotel and Road Company ;

S. 57. An act to incorporate the Waterbury Cemetery Association ;

S. 58. An act to incorporate the Hydeville Manufacturing Company ;

S. 63. An act to incorporate the Chittenden Kaolin and Paint Company ;

S. 73. An act to incorporate the St. Albans Manufacturing Company ;

S. 33. An act laying a tax on the county of Chittenden ;

S. 35. An act to incorporate the Camel's Hump Hotel Company ;

S. 41. An act to incorporate the University of Vermont and State Agricultural College ;

S. 47. An act in relation to circus exhibitions.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills, originating in the House, of the following titles :

H. 64. An act in amendment of chapter eighty-three of the General Statutes, entitled "Of the grand list";

H. 67. An act to pay certain State officers for extra services;

H. 107. An act to incorporate the Woodstock Hotel Company;

H. 110. An act to amend section two of chapter seventeen of the General Statutes, in relation to fees of school district clerks;

H. 115. An act to provide for payment of costs before probate courts in certain cases;

H. 124. An act to incorporate the Wilmington Boot and Shoe Company;

H. 125. An act to incorporate the West Rupert Educational Institute;

H. 131. An act relating to arrest of judgment in civil causes;

H. 132. An act to legalize the grand list of the town of Brookfield for the year 1864;

H. 141. An act to incorporate the Sutherland Falls Hotel Company;

H. 165. An act amending the first section of an act entitled "An act to incorporate the Montpelier Hotel Company," approved November 22, 1864;

H. 177. An act in amendment of an act entitled "An act to prevent illegal voting, and in addition to chapter fifteen of the General Statutes," approved November 21, 1864;

H. 182. An act to protect fish in Otter Creek;

H. 194. An act for the preservation of fish at the mouth of West River and the waters adjacent thereto.

The House have considered a joint resolution from the Senate, relating to the National Statuary Hall; also

A joint resolution relating to the publication of the Directory for 1866; also

A joint resolution in relation to the distribution of the Report of the Adjutant and Inspector General for 1864;

And have adopted the same in concurrence.

The House have considered Senate bills entitled

S. 64. An act to incorporate the Vermont Iron Company;

S. 65. An act to incorporate the Rutland and Reese River Mining Company;

S. 68. An act to pay William Phelps, Alexander Garrison and Robert Bard, the sum therein mentioned;

And have passed the same in concurrence.

The House have considered Senate proposals of amendment to House bill entitled

H. 191. An act extending the power of trustees of incorporated villages ;

And have adopted the same in concurrence.

The House have adopted on their part a joint resolution providing for the appointment of a board of commissioners to report to the next Legislature a general insolvency law,

In the adoption of which the concurrence of the Senate is requested.

The House have passed bills of the following titles :

H. 161. An act to pay Carlton S. Dean the sum therein mentioned ;

H. 189. An act providing for taxing stock in the National Banking Associations ;

In the passage of which the concurrence of the Senate is requested.

Engrossed bill entitled

S. 59. An act to pay William Storrs the sum therein mentioned ;

Was read the third time. Mr. Dorr moved to commit to a senator to amend by adding the following proviso to section one : *provided, also, that all soldiers who enlisted in the invalid corps shall be entitled to receive from the State the extra pay of seven dollars per month during the time of their services in said corps ;*

Which was disagreed to. The question being, Shall the bill pass ? it was decided in the affirmative—yeas 20, nays 6.

Mr. Pennock having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Abbott,	Hobart,	Richmond,
Allen,	Ide,	Rublee,
Barrett,	Meachem,	Smith,
Cochran,	Park,	Soule,
Doton,	Porter,	Taft,
Gay,	Pennock,	Upham—20.
Henry,	Reed,	

Those senators who voted in the negative are Messrs.

Chapman,	Dorr,	Hutchinson,
Clement,	Howe,	Hyde—6.

So the bill passed.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that

the House have adopted a joint resolution directing the Secretary of State ; also

A joint resolution of thanks to Mrs. C. R. Halsey ;

In the adoption of which the concurrence of the Senate is requested.

The House have passed a bill entitled

H. 205. An act making provision for the support of Government ;

In the passage of which the concurrence of the Senate is requested.

Engrossed bill entitled

S. 73. An act to incorporate the St. Albans Manufacturing Company ;

Was read the third time and passed.

Mr. Upham introduced a bill entitled

S. 83. An act in amendment of the General Statutes, entitled " Of salaries, fees, &c." ;

Which was read the first and second time, and referred to the Committee on Finance.

Engrossed bill entitled

S. 74. An act in alteration of chapter seven, entitled " Of the State Library " ;

Was read the third time and passed.

Mr. Hyde introduced a bill entitled

S. 84. An act in amendment of section ninety-six of chapter twenty-two of the General Statutes ;

Which was read the first and second time and referred to the Committee on Finance.

Mr. Cochran, from the Committee under the Fourth Joint Rule to whom was referred the resolution of the Vermont Medical Society, reported the following joint resolution :

*Resolved by the Senate and House of Representatives,*  
That the Governor of the State is hereby authorized and requested to confer with members of the medical profession of this State and other states, with regard to the approach of that threatening epidemic scourge, the cholera, and take such measures as will, as far as possible, prevent its approach to our State ;

Which was read, and adopted on the part of the Senate.

Engrossed bill entitled

S. 75. An act extending the charter of the Orange County Bank ;

Was read the third time and passed, under a suspension of the rules.

Engrossed bill entitled

S. 82. An act in amendment of section two of chapter twenty-three of the General Statutes, entitled "Of the instruction of the deaf, dumb and blind";

Was read the third time and passed.

Mr. Hyde, from the Committee on Finance to whom was referred House bill entitled

H. 202. An act defining the duties of certain State officers, and for the protection and benefit of the treasury;

Reported in favor of its passage; and thereupon said bill was read the third time, and, on motion of Mr. Taft,

*Ordered to lie.*

Mr. Hyde, from the Committee on Finance to whom was referred a bill entitled

S. 84. An act in amendment of section ninety-six of chapter twenty-two of the General Statutes;

Reported in favor of its passage. Mr. Hyde moved that the rule requiring its engrossment be suspended;

Which was agreed to; and thereupon said bill was read the third time and passed.

On motion of Mr. Reed, House bill entitled

H. 168. An act to establish the Vermont Reform School;

Was taken up. Mr. Reed moved to propose to the House to amend, as follows:

*First*, Amend section two, in line fifteen, by inserting before the words, "per diem" the word *pay*;

*Second*, Also in line fifteen, by striking out the word "to," after the words, "per diem," and inserting the word *shall*;

*Third*, Also in line seventeen, strike out the word "to," and insert the word *shall*;

*Fourth*, Also in line seventeen, before the words, "per diem," insert the word *pay*;

*Fifth*, The buildings shall be arranged for the complete separation of the sexes, and their separation shall be strictly maintained;

*Sixth*, In section three, strike out the last fifteen lines, and the words, "and it is," on the line above, &c.;

Which was agreed to; and thereupon the bill was passed in concurrence, with proposals of amendment.

Mr. Taft, from the Committee on the Judiciary to whom was referred House bill entitled

H. 193. An act for the relief of aged and infirm clergymen;

Reported the same, recommending that the Senate propose to the House to amend, as follows :

*First*, In section three, lines five, by inserting after the word "clergymen," the words, *of the Episcopal Church*;

*Second*, To amend the title of the bill by striking out all after the two first words, and inserting in lieu of such part so stricken out, the following words : *to incorporate the trustees of the fund for aged and infirm clergymen of the Episcopal Church*;

Which was agreed to ; and thereupon said bill was read the third time, and passed in concurrence, with proposals of amendment.

House bills of the following titles were severally read the first and second time and referred, to wit :

H. 52. An act laying a tax on the county of Orange ;

On motion of Mr. Hutchinson, referred to a select committee, consisting of the senators from Orange county.

H. 100. An act to incorporate the Fairhaven and Chicago Slate Company ;

H. 155. An act to incorporate the Otter Creek Marble Company ;

H. 169. An act to incorporate the United States Agricultural and Mining Company ;

H. 203. An act to incorporate the Highgate Manufacturing Company ;

To the Committee on Manufactures.

H. 161. An act to pay Carlton S. Dean the sum therein mentioned ;

To the Committee on Claims.

H. 166. An act to amend an act entitled "An act to incorporate the village of Rutland" ;

To the General Committee.

H. 172. An act to amend section two of chapter forty-eight of the General Statutes, relating to probate courts ;

To the Committee on the Judiciary.

H. 189. An act providing for taxing stock in the National Banking Associations ;

H. 196. An act concerning the grand list ;

To the Committee on Finance.

Mr. Pennock, from the Committee on Claims to whom was referred Senate bill entitled

S. 69. An act to pay Dorr Barney the sum therein mentioned ;

Reported the same, recommending that the bill be amended by inserting in the fourth line the words, *twenty-five*;

Which was agreed to; and the bill, as amended, was Ordered to be engrossed and read the third time.

On motion of Mr. Hyde, House bill entitled

H. 202. An act defining the duties of certain State officers, and for the protection and benefit of the treasury;

Was taken up.. Mr. Hyde moved that the Senate propose to the House to amend the bill by adding to section four, after the word "law," last occurring in said bill, the words: *and also the debentures of members and officers of the General Assembly, and any other expenses of the General Assembly not otherwise provided for*;

Which was agreed to.

Mr. Taft moved to propose to the House to strike out section three.

Mr. Dorr moved to amend the amendment, as follows: after striking out section three, insert the following:

*The grounds now owned by this State in the vicinity of the late hospital buildings in the town of Montpelier, for which the State has not immediate use, together with said hospital buildings, now upon said grounds, shall, if approved by the Governor and the board of commissioners of the Vermont Reform School, be, and the same are, hereby appropriated to the use of said commissioners of the Vermont Reform School for the purposes provided in said act, and the said board of commissioners, by and with the advice and consent of the Governor, may sell and dispose of such buildings as are not wanted for the purposes of said Vermont Reform School, and the proceeds thereof shall be paid into the Treasury of the State, and a statement of such sale with the amount thereof filed with the Auditor of Accounts.*

On motion of Mr. Taft, the bill and amendments were Ordered to lie.

Mr. Crane, from the Committee on Military Affairs to whom was referred a bill entitled:

S. 15. An act to repeal an act organizing the militia, approved November 22, 1864;

Reported in favor of its passage. Mr. Hyde moved to indefinitely postpone;

Which was agreed to—yeas 16, nays 9.

Mr. Crane having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs:

Abbott,	Dodge,	Ides,
Allen,	Gay,	Mecham,
Barrett,	Hobart,	Fark,
Chapman,	Howe,	Tolt,
Conner,	Hyde,	Upham—18.
Dorr,		

Those senators who voted in the negative are Messrs.

Crane,	Porter,	Smith,
Henry,	Richmond,	Soule,
Rockinson,	Roblee,	Tabor—2.

So the bill was indefinitely postponed.

Mr. Howe, from the Committee on Claims to whom was referred a bill entitled

S. 23. An act to pay Thomas E. Powers the balance due him for superintending the reconstruction of the State House ;

Reported adversely to its passage ; and thereupon the engrossment and third reading of said bill was refused.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate bills entitled :

S. 37. An act to incorporate the Star Silver Mining Company of Nevada ;

S. 42. An act to incorporate the Brandon Mineral Paint Company ;

S. 44. An act to incorporate the McLeran's Falls Manufacturing Company ;

And have passed the same in concurrence.

The House have considered Senate bills entitled

S. 18. An act to amend an act entitled " An act to incorporate the city of Burlington," approved November 22, 1864 ;

S. 55. An act to incorporate the Waterbury Falls and Crouching Lion Hotel and Road Company ;

S. 58. An act to incorporate the Hydeville Manufacturing Company ;

S. 62. An act to incorporate the Rutland County Manufacturing Company ;

And have passed the same in concurrence, with proposals of amendment,

In the adoption of which the concurrence of the Senate is requested.

Engrossed bill entitled.

S. 55. An act to incorporate the Waterbury Falls and Crouching Lion Hotel and Road Company;

Was taken up, having been returned from the House with a proposal of amendment as follows: by striking out of section three the words, in the last two lines, "to an amount equal to an amount of stock they shall hold in said company";

Which was agreed to.

Engrossed bill entitled

S. 62. An act to incorporate the Rutland County Marble Company;

Having been returned from the House of Representatives with a proposal of amendment as follows: In section one, line eight, strike out all after the word "corporations,"

Was adopted in concurrence.

On motion of Mr. Taft, House bill entitled

H. 202. An act defining the duties of certain State officers, and for the protection and benefit of the treasury;

Was taken up. Mr. Taft, by unanimous consent, withdrew his amendment to strike out section three.

Mr. Dorr asked leave to modify his amendment to Mr. Taft's proposal of amendment in lines thirteen and fourteen, by striking out the words, "the said board of commissioners," and inserting the words, *Auditor of Accounts*.

On motion of Mr. Smith, the bill and amendments were Ordered to lie.

A message was received from his Excellency, the Governor, by Mr. Gay, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT: I am directed by the Governor to inform the Senate that he has approved and signed bills, originating in the Senate, of the following titles:

S. 18. An act to amend an act entitled "An act to incorporate the city of Burlington," approved November 22, 1864;

S. 32. An act to amend section seventy-three of chapter thirty of the General Statutes;

S. 62. An act to incorporate the Rutland County Manufacturing Company;

S. 48. An act to incorporate the Addison County Marble Company;

S. 49. An act to incorporate the Rutland County Slate Company;

S. 50. An act laying a tax on the town of Averill;

S. 51. An act laying a tax on the town of Norton.

Mr. Dorr introduced the following joint resolution:

*Resolved by the Senate and House of Representatives,*  
That the Secretary of State is hereby directed to publish in the session laws for 1865, a list of the names and residences of the State officers and members of the General Assembly for the political year 1865;

Which was read and adopted on the part of the Senate.

Mr. Richmond, from the Committee on Agriculture to whom was referred House bill entitled

H. 200. An act to incorporate the Enosburgh Cheese Manufacturing Company;

Reported in favor of its passage; and thereupon said bill was read the third time, and passed in concurrence.

On motion of Mr. Smith, House bill entitled

H. 202. An act defining the duties of certain State officers, and for the protection and benefit of the treasury;

Was taken up. Mr. Dorr, by unanimous consent, withdrew his several proposals of amendment; and thereupon the bill was passed in concurrence.

Mr. Pennock, from the Committee on Claims to whom was referred a bill entitled

S. 22. An act to pay Milton Barnard the sum therein mentioned;

Reported adversely to its passage; and thereupon the engrossment and third reading of said bill was refused.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bill entitled

S. 26. An act relating to the duties of school district clerks;

And have passed the same in concurrence.

The House have considered Senate proposal of amendment to House bill entitled

H. 19. An act to amend section thirty-two of chapter one hundred and twenty-six of the General Statutes, relating to fees of sheriffs and constables;

And do not concur in the adoption of the amendment.

Engrossed bill entitled

S. 18. An act to amend an act entitled "An act to incorporate the city of Burlington," approved Nov. 22, 1864;

Was taken up, said bill having been returned from the House of Representatives, with proposals of amendment as follows :

*First*, In section eighteen, line two, strike out the word "alteration," and insert in lieu thereof the word *addition*.

*Second*, In section eighteen, line three, strike out "section," and insert *sections*; and that said bill be further amended by adding the following to section eighteen: *the city council shall have power to appoint, from time to time, and to remove, a health officer, who shall have all the powers by law invested in selectmen of towns, for the preservation of health, and the abatement of nuisances and the removal of other causes injuriously affecting health, and shall have power in times of epidemic or of threatened or existence of general disease of any kind, to adopt and enforce summarily such sanitary measures and regulations as shall to him seem fit; and any person who shall disobey any lawful order of such health officer, shall be punished by such fine as shall be provided by the city council for such cases.*

The several proposals of amendment were concurred in.

Mr. Abbott introduced a resolution, as follows :

*Resolved*, That when the Senate adjourn this afternoon, it adjourn to meet this evening at seven o'clock ;

Which was read and adopted.

Joint resolution from the House of Representatives, as follows :

WHEREAS, An increasing desire is indicated by a large proportion of the citizens of this commonwealth for the enactment of a law that shall tend to a greater and more complete development of the internal resources of the wealth of the State, by affording a sure and more equal protection to both the producer and the consumer, thereby inviting an influx of foreign capital seeking investment ; therefore,

*Resolved by the Senate and House of Representatives*, That his Excellency, the Governor, be empowered and hereby requested to appoint a board of commissioners, consisting of two persons, whose duty it shall be to prepare and report to the next Legislature a general insolvency law, as shall in their opinion be best adapted to the wants and interests of the State, provided it shall be done without expense to the

State. And it shall also be the duty of such commissioners to report to said Legislature their opinion as to the propriety of modifying the attachment laws of the State;

Which was read, and the question being, Will the Senate adopt the resolution in concurrence? it was decided in the negative.

Mr. Porter, from the General Committee to whom was referred House bill entitled

H. 166. An act to amend an act to incorporate the city of Burlington;

Reported in favor of its passage; and thereupon said bill was read the third time and passed in concurrence.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bills entitled

S. 59. An act to pay William Storrs the sum therein mentioned;

S. 68. An act to pay William Phelps, Alexander Garrison and Robert Bard the sum therein mentioned;

S. 71. An act providing for the closing of the business of certain banks;

S. 75. An act extending the charter of Orange County Bank;

S. 52. An act relating to probate fees and salaries;  
And have passed the same in concurrence.

The House have considered a joint resolution from the Senate, directing the Secretary of State to publish a list of the officers of the civil government of Vermont; also

A joint resolution relating to the sanitary condition of the State;

And have adopted the same in concurrence.

Engrossed bills entitled

S. 69. An act to pay Dorr Barney the sum therein mentioned;

S. 76. An act to amend an act entitled "An act to incorporate the West Rutland Steam Marble Company," approved November 17, 1856;

S. 79. An act to change the name of the Pittsford Marble Company;

Were severally read the third time and passed.

Mr. Taft introduced the following resolution:

*Resolved*, That the thanks of the Senate are hereby ten-

dered to his Honor, A. B. GARDNER, for the able and courteous manner in which he has presided over its deliberations during the present session ;

Which was read and unanimously adopted.

Joint resolution from the House of Representatives, as follows :

*Resolved by the Senate and House of Representatives,* That the thanks of the General Assembly of the State of Vermont are hereby tendered to Mrs. C. R. Halsey, wife of Maj. Thomas H. Halsey, for the beautiful flag she so generously bestowed upon the old brigade of Vermont troops, which flag now hangs in the Hall of the House of Representatives.

Was read and adopted in concurrence.

Joint resolution from the House of Representatives, as follows :

*Resolved by the Senate and House of Representatives,* That in the death of Abraham Lincoln, the late President of the United States, the nation mourns the loss of a noble, patriotic and self-sacrificing Chief Magistrate, and while we reverently bow and submit to the hand of Him who never willingly afflicts the children of men, we will ever cherish the name of Abraham Lincoln as that of a wise and good man, and commend the teachings of his life and administration, as an example worthy to be followed by his successors.

*Resolved,* That in Andrew Johnson, the present Chief Magistrate of the United States, we recognize a noble example of loyalty and devotion to his country, in his opposition to traitors during the rebellion, and in the sacrifices which he made in sustaining the Constitution and laws ; and we hereby pledge ourselves to maintain and support him in all his efforts to restore and re-establish the Government upon the corner-stone of freedom and equality, in accordance with the letter and spirit of the Declaration of Independence.

*Resolved,* That as a people and as a nation, we have abundant cause to render thanks to the Supreme Ruler of events for the successful termination of the late rebellion, by which the majesty and sovereignty of popular governments have been vindicated and established, and the cause of freedom and right has been made to triumph over wickedness and oppression, in spite of armed traitors in the field, and the insidious arts and counsels of their friends at home.

Was read and adopted in concurrence.

House bill entitled

H. 205. An act making provision for the support of Government ;

Was read the first and second time, and referred to the Committee on Finance.

Mr. Henry, from the Committee on Military Affairs to whom was referred a bill entitled

S. 80. An act for the aid of drafted soldiers ;

Reported in favor of its passage ; and thereupon said bill was

*Ordered* to be engrossed and read the third time.

Joint resolution from the House :

*Resolved by the Senate and House of Representatives,* That the Secretary of State is hereby directed to cause to be published in the next volume of the Acts and Resolves of the General Assembly, the vote of thanks passed by the last General Assembly to General Stannard and the Vermont officers and soldiers then in the field ; the resolution in regard to General Wells and the Vermont Cavalry ; and the vote of thanks, on the part of the House, to General Grant and the officers and soldiers of the "Old Brigade," and cause certified copies of the same to be forwarded to the several officers named. That the Secretary of State is directed to consider the resolutions referred to, as found in the Journals of the Senate and House of Representatives, respectively, as official, if they are not properly on file in his office ;

Was read and adopted in concurrence.

On motion of Mr. Soule, the Senate adjourned.

#### EVENING.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

Mr. PRESIDENT : I am directed to inform the Senate that the House have considered Senate bills entitled

S. 70. An act in relation to the sale of shares of stock in private corporations for the non-payment of assessments ;

S. 74. An act in alteration of chapter seven, entitled "Of the State Library" ;

S. 82. An act in amendment of section two of chapter twenty-three of the General Statutes, entitled "Of instruction of the deaf, dumb and blind";

And have passed the same in concurrence.

He then withdrew.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 2. An act in relation to appeals in suits pending in the court of chancery;

Reported the same, recommending that the Senate propose to the House to amend said bill by striking out all of said bill after the enacting clause, and substituting in lieu thereof the following:

*Sec. 1. When an appeal shall be taken from the final decree of any court of chancery in any cause determined in said court, and said cause shall be transferred by such appeal and entered in the Supreme Court, in pursuance of sections eighty-three and eighty-four of chapter twenty-nine of the General Statutes, the Supreme Court shall have all the jurisdiction and power of a chancellor of the court of chancery in a cause pending in a court of chancery, for making such interlocutory orders, from time to time, on motion and notice thereof, as the circumstances of the case render necessary.*

*Sec. 2. Application for such order may be made to, and such order may be made by, said Supreme Court, when sitting in any county in this State.*

*Sec. 3. When an appeal shall be taken in any cause, as described in section one of this act, between the time of taking such appeal and the first day of the term of the Supreme Court to which such appeal shall be taken, a chancellor of the court of chancery shall have full jurisdiction and power of a court of chancery for making, in such cause, all necessary interlocutory orders, on motion and notice thereof, notwithstanding such decree and appeal; and when in any cause, any order shall be made or proceedings had under this section, the clerk of the court of chancery shall transfer such order and proceedings to the Supreme Court, and they shall become part of the cause on the hearing in the Supreme Court.*

*Sec. 4. Whenever in any cause in chancery a decree shall be made by any chancellor which requires the taking of an account, an appeal may be taken from said decree*

to the Supreme Court, and the accounting so required, if ordered by the Supreme Court, shall be postponed until such cause is remanded from the Supreme Court.

*Sec. 5. This act shall not affect any suit now pending.*

Which was agreed to; and the same passed in concurrence, with proposals of amendment.

Mr. Rublee, from the Committee on Claims to whom was referred Senate bill entitled

S. 29. An act to pay Silas Warren the sum therein mentioned;

Reported adversely to its passage; and thereupon the engrossment and third reading of said bill was refused.

Mr. Gay, from the Committee on Manufactures to whom was referred Senate bill entitled

S. 81. An act to incorporate the New England Steam Plow Company;

Reported in favor of its passage; and thereupon said bill was

*Ordered to be engrossed and read the third time.*

Mr. Chapman, from the Committee on Finance to whom was referred House bill entitled

H. 5. An act in amendment of section six of chapter eighty-three of the General Statutes, and to tax the income of United States bonds, &c.;

Reported the same, recommending that the Senate propose to the House to amend the bill by striking out all after the enacting clause, and inserting in lieu thereof the following:

*Sec. 1. It shall be the duty of the listers in each town to set in the list of every person liable to taxation in such town, the amount of interest received by such person from all stocks, bonds, or other securities of the United States; and the term "personal estate," in section four of chapter eighty-three of the General Statutes, is and shall be so construed as to include all such interest and income as may have been collected and received by the owner thereof, or by any person or persons for him; and the same shall be liable to the provisions of said chapter eighty-three, in like manner as any other kind of personal estate.*

Also to amend the title of the bill by substituting the following: *An act defining the duties of listers, in relation to the income of United States bonds.*

Which was agreed to; and thereupon said bill was passed in concurrence, with proposals of amendment.

A message was received from his Excellency, the Governor, by Mr. Gay, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor, to inform the Senate, that he has approved and signed bills, originating in the Senate, of the following titles :

S. 66. An act to authorize the towns of Stowe, Morris-town, Hydepark, Johnson, Eden, Wolcott and Elmore, to raise money to build a railroad ;

S. 69. An act to pay Dorr Barney the sum therein mentioned ;

S. 76. An act to amend an act entitled " An act to incorporate the West Rutland Steam Marble Company," approved November 17, 1856 ;

S. 79. An act to change the name of the Pittsford Marble Company ;

S. 84. An act in amendment of section ninety-six of chapter twenty-two of the General Statutes ;

S. 81. An act to incorporate the New England Steam Plow Company.

Mr. Hutchinson, from the select committee, consisting of the senators from the county of Orange, to whom was referred House bill entitled

H. 52. An act laying a tax on the county of Orange ;

Reported in favor of its passage ; and thereupon said bill was read the third time and passed in concurrence.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate bill entitled

S. 84. An act in amendment of section ninety-six of chapter twenty-two of the General Statutes ;

And have passed the same in concurrence.

The House have passed bills entitled

H. 111. An act in amendment of an act relating to the sale of real estate, including the homestead, by executors and administrators, and in amendment of chapter fifty-two of the General Statutes, approved November 22, 1864 ;

H. 201. An act to authorize the publication of extra volumes of the decisions of the Supreme Court ;

In the passage of which the concurrence of the Senate is requested.

Mr. Cochran, from the Committee on Manufactures to whom was referred House bill entitled

H. 100. An act to incorporate the Fairhaven and Chicago Slate Company ;

Reported the same, recommending that the Senate propose to the House to amend in section two, in the last line, by striking out all after the word "excess";

Which was agreed to; and thereupon said bill was read the third time and passed.

Mr. Cochran, from the Committee on Manufactures to whom was referred House bill entitled

H. 155. An act to incorporate the Otter Creek Marble Company ;

Reported in favor of its passage; and thereupon said bill was read the third time and passed.

Mr. Gay, from the Committee on Manufactures to whom was referred House bill entitled

H. 169. An act to incorporate the United States Agricultural and Mining Company ;

Reported in favor of its passage; and thereupon said bill was read the third time and passed.

Mr. Clement, from the Committee on Manufactures to whom were referred House bills entitled

H. 170. An act to incorporate the Scotch Hill Slate Company ;

H. 180. An act to incorporate the Rutland County Reservoir Company ;

H. 203. An act to incorporate the Highgate Manufacturing Company ;

Reported in favor of their passage; and thereupon each of said bills were severally read the third time, and passed in concurrence.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 192. An act in relation to the support of paupers ;

Reported the same, recommending that the Senate propose to the House to amend said bill by adding to the first section thereof the following words: *provided such pauper is a person said head of a family is bound by law to support*;

Which was agreed to; and thereupon said bill was read the third time and passed in concurrence, with proposals of amendment.

House bills of the following titles were severally read the first and second time, and referred, to wit:

H. 111. An act in amendment of an act relating to the sale of real estate, including the homestead, by executors and administrators, and in amendment of chapter fifty-two of the General Statutes, approved November 22, 1864;

H. 201. An act to authorize the publication of extra volumes of the decisions of the Supreme Court;

To the Committee on the Judiciary.

Engrossed bill entitled

S. 80. An act for the aid of drafted soldiers;

Was read the third time and passed.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bill entitled

S. 69. An act to pay Dorr Barney the sum therein mentioned;

And have passed the same in concurrence.

The House have considered Senate proposals of amendment to House bills entitled

H. 2. An act in relation to appeals in suits pending in the court of chancery;

H. 5. An act in amendment of section six of chapter eighty-three of the General Statutes, and to tax the income of United States bonds, &c.;

And have adopted the same in concurrence.

Mr. Taft, from the Committee on the Judiciary to whom was referred House bill entitled

H. 172. An act to amend section two of chapter forty-eight of the General Statutes, relating to probate courts;

Reported in favor of its passage; and thereupon said bill was read the third time, and, on motion of Mr. Taft, recommended to the Committee on the Judiciary.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bill entitled

S. 28. An act providing for the appointment of an Attorney General, and regulating the fees of State's attorneys;

And do not concur in the passage thereof.

Mr. Taft, from the Committee on the Judiciary to whom was referred a bill entitled

S. 72. An act in relation to burial grounds;

Reported adversely to its passage ; and thereupon the engrossment and third reading of said bill was refused.

Mr. Hyde, from the Committee on Finance to whom was referred House bill entitled

H. 205. An act making provision for the support of Government ;

Reported in favor of its passage ; and thereupon said bill was read the third time.

Mr. Taft moved that the Senate propose to the House to amend the bill by striking out the word "sixty," in section one, line one, and inserting in lieu thereof the word *fifty*,

Which was disagreed to.

Mr. Taft moved to propose to the House to amend by striking out all of the eighth section after the word "five," in the fourth line ;

Which was disagreed to ; and thereupon said bill was passed in concurrence.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate bills entitled

S. 67. An act to incorporate the Young Men's Association of Burlington ;

S. 77. An act to preserve fish in the ponds in the town of Richmond ;

And have passed the same in concurrence.

Mr. Chapman, from the Committee on Finance to whom was referred House bill entitled

H. 196. An act concerning the grand list ;

Reported adversely to its passage ; and thereupon the third reading of said bill was refused.

A message was received from his Excellency, the Governor, by Mr. Gay, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor to inform the Senate that he has approved and signed bills, originating in the Senate, of the following titles :

S. 70. An act in relation to the sale of shares of stock in private corporations for the non-payment of assessments ;

S. 74. An act in alteration of chapter seven of the General Statutes, entitled "Of the State library" ;

S. 71. An act to provide for the closing of the business of certain banks ;

S. 59. An act to pay William Storrs the sum therein mentioned;

S. 60. An act in relation to appeals in criminal cases;

S. 75. An act extending the charter of Orange County Bank;

S. 82. An act in amendment of section two of chapter twenty-three of the General Statutes, entitled "Of instruction of the deaf, dumb and blind."

Mr. Chapman, from the Committee on Finance to whom was referred a bill entitled

S. 83. An act in amendment of chapter one hundred and twenty-six of the General Statutes, entitled "Of salaries, fees, &c.";

Reported the same without any expression of opinion thereon; and thereupon the bill was

*Ordered* to be engrossed and read the third time.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills, originating in the House, of the following titles:

H. 19. An act to amend section thirty-two, chapter one hundred and twenty-six of the General Statutes, relating to fees of sheriffs and constables;

H. 25. An act in relation to dower and homestead;

H. 72. An act to pay James A. Pollard the sum therein mentioned;

H. 78. An act to pay Ira P. Harrington the sum therein mentioned;

H. 88. An act to exempt the proceeds of certain property from attachment by the trustee process;

H. 93. An act to incorporate the Newbury Lime and Cement Company;

H. 98. An act to incorporate the Dellwood Cemetery Association;

H. 108. An act to authorize probate courts to remove and appoint commissioners in certain cases;

H. 114. An act to legalize the grand list of the town of Wilmington for the year 1865;

H. 126. An act to legalize the grand list of the town of Sunderland for the year 1865;

H. 138. An act to incorporate the West Addison Cemetery Association;

H. 154. An act to incorporate the Wells River Lumber Company;

H. 171. An act to legalize the grand list of the town of Barre for the year 1865;

H. 176. An act in amendment of chapter eighteen of the General Statutes, entitled "Of public burial grounds and their enlargement";

H. 191. An act to provide a police force for incorporated villages.

The House have considered Senate bill entitled

S. 66. An act to authorize the towns of Stowe, Morris-town, Hydepark, Johnson, Eden, Wolcott and Elmore, to raise money to build a railroad;

And have passed the same in concurrence.

The House have considered Senate proposals of amendment to House bills entitled

H. 193. An act for the relief of aged and infirm clergymen;

H. 168. An act to establish the Vermont Reform School;  
And have adopted the same in concurrence.

Mr. Taft, from the Committee on the Judiciary to whom was recommitted House bill entitled

H. 172. An act to amend section two of chapter forty-eight of the General Statutes, relating to probate courts;

Reported the same, recommending that the Senate propose to the House to amend, by adding to section one the following: *but the register first appointed shall, upon the happening of any event mentioned in section eight of chapter forty-eight of the General Statutes, be the only register who shall hold the probate court, have the powers and perform the duties of the judge of such court as provided in said section eight;*

Which was agreed to; and thereupon said bill was read the third time and passed in concurrence, with proposals of amendment.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bill entitled

S. 80. An act for the aid of drafted soldiers;

And do not concur in its passage.

Mr. Reed introduced the following joint resolution:

*Resolved by the Senate and House of Representatives,*  
That the assistants in the library, C. W. Town and Geo.

W. Wing, be paid for their services, during the present session, at the rate of two dollars per day ;

Which was read, and adopted on the part of the Senate.

Mr. Porter introduced the following joint resolution :

*Resolved by the Senate and House of Representatives;*  
That the sum of fifty dollars each be allowed the Clerks to make up the Grand List, for extra services rendered by reason of the appraisal of real estate ;

Which was read, and, on motion of Mr. Reed, referred to the Committee on Finance.

House bill entitled

H. 178. An act to tax deposits in savings banks ;

Was taken up, considered, read the third time and passed in concurrence, with proposals of amendment.

Mr. Hyde, from the Committee on Finance to whom was referred House bill entitled

H. 189. An act providing for taxing stock in the National Banking Associations ;

Reported in favor of its passage ; and thereupon said bill was read the third time. Mr. Chapman moved to propose to the House to amend by adding a section as follows :

*The Governor, immediately after the passage of this act, shall submit the same to the judges of the Supreme Court of this State, with the inquiry, Can the stock of national banks be taxed in the towns in which the stockholders severally reside, as the stock of State banks is now taxed by the laws of this State, or can it be taxed only in the towns in which such national banks are located? The decision of the judges shall be made and transmitted through the Governor to the town clerks of the several towns in this State, on or before the first day of March, 1866, and the stock of the several national banks in this State shall be taxed in accordance with the decisions of said judges, until the laws of the United States and the State of Vermont in relation to the taxation of the stock of national banks are altered; provided, however, that this act shall not take effect until the Supreme Court shall have made and published their decision as herein named;*

Which was read, considered, and disagreed to. The question being, Shall the bill pass in concurrence? it was decided in the affirmative—yeas 17, nays 8.

Mr. Smith having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Abbott,  
Allen,  
Barrett,  
Chapman,  
Dorr,  
Doten,

Gay,  
Henry,  
Hobart,  
Howe,  
Hyde,  
Porter,

Pennock,  
Richmond,  
Rublee,  
Tabor,  
Upham—17.

Those senators who voted in the negative are Messrs.

Gilbert,  
Cochran,  
Crane,

Moschum,  
Park,  
Smith,

Seale,  
Taft—8.

So the bill was passed in concurrence.

Mr. Crane, from the Committee on Military Affairs to whom was referred the petition of Asahel Ross and others, citizens of Cavendish, praying for repeal of the militia law,

Reported the same, recommending that the petitioners have leave to withdraw their petition.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered the Senate proposals of amendment to House bill entitled

H. 178. An act to tax deposits in savings banks;  
And do not concur in their adoption.

House bill entitled

H. 178. An act to tax deposits in savings banks;

Was taken up, having been returned from the House of Representatives with non-concurrence in the Senate proposals of amendment to said bill. The President put the question, Will the Senate insist upon its proposals of amendment to said bill? and it was decided in the affirmative.

A message was received from the House of Representatives, by Mr. Flagg, their Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the Governor has returned to the House of Representatives, House bill entitled

H. 11. An act in addition to chapter one hundred and twenty-one of the General Statutes, in regard to the discharge of poor debtors;

Which has heretofore passed the two Houses, together with his objections thereto. The House have reconsidered said bill, and resolved again to pass the same, which I am directed to transmit to the Senate, together with the objections of the Governor, in writing, for their action.

House bill entitled

H. 11. An act in addition to chapter one hundred and

twenty-one of the General Statutes, in regard to the discharge of poor debtors ;

Was taken up, having been transmitted to the Senate from the House of Representatives; with the objections of his Excellency, the Governor, thereto ;

Which were read by the Secretary, and are as follows :

EXECUTIVE CHAMBER, }  
Montpelier, Nov. 3, 1865. }

HON. JOHN W. STEWART,

*Speaker of the House of Representatives:*

SIR: I herewith return to the House of Representatives, in which House it originated, the bill entitled "An act in addition to chapter one hundred and twenty-one of the General Statutes," which I have not approved.

The first clause of the first section of the bill returned, refers to section forty-five of chapter one hundred and twenty-one of the General Statutes, which is in these words: "If the commissioners find that the prisoner has no estate to the amount of twenty dollars, nor sufficient to satisfy the execution on which he is committed, exclusive of such property as is by law exempt from execution, and has not disposed of any part of his estate to defraud his creditors, nor disposed of the same after his commitment, for the purpose of defrauding the committing creditor, or of preferring other creditors to him, they shall admit him to the poor debtor's oath, and deliver him two certificates in the form hereinafter prescribed." The first section of the returned bill provides that notwithstanding the debtor may have committed any or all of these frauds, and for that cause has been denied the benefits of the poor debtor's oath, he may nevertheless make application to the county court or to a judge of the Supreme Court, by petition, praying to be discharged from such imprisonment; and the subsequent sections authorize the county court, or such judge of the Supreme Court, if he chooses to entertain the petition, to order a final discharge of the prisoner, to take effect at such time as they determine.

All this, too, is to be done without providing at all for the interest of the defrauded creditor.

The common law, as accepted and administered in this State, holds all fraud in business transactions in great abhorrence, and discountenances it in every possible way; it annuls and holds as void all contracts into the composition of which fraud enters, and holds a fraudulent party to make good in

damages, all injury his act has occasioned to another. And our State legislation has, from its beginning, stood boldly by the common law, going further than that could, and imposing penalties and forfeitures upon the fraudulent party. As a specimen of State legislation, I refer to sections thirty-two and thirty-three of chapter one hundred and thirteen of the General Statutes.

The forty-fifth section of chapter one hundred and twenty-one, before quoted, is in perfect keeping and harmony in principle with all our other State legislation upon the subject of frauds and fraudulent transactions; and it seems to me that the bill now under discussion, both in spirit and purpose, is in conflict with all our previous legislation upon the same subject. Had the bill been put in different form and contained a simple proposition, so to amend section forty-five of chapter one hundred and twenty-one, that any disposition of the debtor's property which he might make, with *intent* to defraud his creditors, should be no bar to his being allowed the benefit of the poor debtor's oath, I apprehend that it would have met with little favor from the Legislature. Does not the bill, in its provisions, indirectly do the same thing? Is there any satisfactory reason why it should become a law? It seems more than probable that it was introduced and urged upon the attention of the Legislature to meet some existing case where a debtor has unfortunately, in his own estimation, thrown embarrassments about himself by some violation of existing laws; if that be so, we are to remember that all jail limits now are co-extensive with the boundaries of our States and the inconvenience to an individual from having to reside constantly in Vermont, or else pay an honest debt, should not, I think, furnish sufficient reason for a change, which, to say the least of it, is a receding from the high tone of business morals and integrity, which our laws have hitherto uniformly insisted upon.

It is not to be presumed that any board of jail commissioners ever did, or will, refuse the poor debtor's oath to one in prison, on the ground of a fraudulent disposition of his property, until the fraud is clearly proved, and when that is done, to turn him over to another tribunal to be discharged, his fraud to the contrary, notwithstanding, seems repugnant both to the harmony of our laws, and to sound justice.

These views have induced me to return this bill to the House for their further consideration, and should it, after that

consideration, become a law, I shall feel more reconciled to it than I could have been had I approved it without submitting it to the second sober thought of the Legislature.

PAUL DILLINGHAM.

Thereupon the Senate proceeded to the reconsideration of said bill.

The question being, Shall the bill pass, notwithstanding the objections of the Governor? it was decided in the negative—yeas 1, nays 26.

The senator who voted in the affirmative was Mr.

Taft—1.

Those senators who voted in the negative are Messrs.

Abbott,  
Allen,  
Barrett,  
Chapman,  
Cochran,  
Crist,  
Dorr,  
Dotson,  
Gay,

Henry,  
Hobart,  
Howe,  
Hyde,  
Ide,  
Meacham,  
Park,  
Porter,  
Pennock,

Reed,  
Richmond,  
Rublee,  
Skinner,  
Smith,  
Soule,  
Tabor,  
Upham—26.

So the bill was not passed.

Engrossed bill entitled

S. 83. An act in amendment of chapter one hundred and twenty-six of the General Statutes, entitled "Of salaries, fees, &c.";

Was taken up for third reading. Mr. Chapman raised a point of order, Whether under rule twenty-one; which requires twenty-four hours to intervene between the first and third reading of public bills, it could be read the third time at this time. The President decided the point of order well taken; and thereupon the bill was laid over under the rule.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 111. An act in amendment of an act relating to the sale of real estate, including the homestead, by executors and administrators, and in amendment of chapter fifty-two of the General Statutes, approved November 22, 1864;

Reported the same, recommending that the Senate propose to the House to amend the bill as follows:

*First*, In section one, line four, by striking out the words "approved November 22, 1864," and inserting the same words after the word "administrator," in the third line;

Which was agreed to.

*Second*, Also by striking out in the fourth line of the title the words "approved November 22, 1864," and inserting the same after the word "administrator," in the third line;

Which was agreed to ; and thereupon the bill, as amended, was read the third time and passed in concurrence, with proposals of amendment.

A message was received from his Excellency, the Governor, by Mr. Gay, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor to inform the Senate that he has approved and signed bills, originating in the Senate, of the following titles :

S. 64. An act to incorporate the Vermont Iron Company ;

S. 65. An act to incorporate the Rutland and Reese River Mining Company ;

S. 67. An act to incorporate the Young Men's Association of Burlington ;

S. 68. An act to pay William Phelps, Alexander Garrison and Robert Bard the sum therein mentioned ;

S. 77. An act to preserve fish in the ponds in the town of Richmond.

Mr. Chapman, from the Committee on Finance to whom was referred a bill entitled

S. 8. An act in relation to the rate of interest ;

Reported the same, without an expression of opinion ; and thereupon the engrossment and third reading of said bill was refused.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 95. An act to repeal an act therein named, and to reenact section twenty, chapter twenty-two, of the General Statutes ;

Reported in favor of its passage ; and thereupon said bill was read the third time and passed in concurrence.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 167. An act to amend section thirty-one of chapter one hundred and twenty-six of the General Statutes, relating to fees of county clerks ;

Reported in favor of its passage ; and thereupon said bill was read the third time and passed in concurrence.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 201. An act to authorize the publication of extra volumes of the decisions of the Supreme Court ;

Reported in favor of its passage ; and thereupon said bill was read the third time and passed in concurrence.

A message was received from his Excellency, the Governor, by Mr. Gay, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT: I am directed by the Governor to transmit to the Senate a communication in writing.

On motion of Mr. Reed, engrossed bill entitled

S. 78. An act in relation to the Reporter of the decisions of the Supreme Court;

Was taken up, considered, and the third reading refused.

On motion of Mr. Dorr, the Senate resolved itself into executive session. After some time spent therein, the doors were opened and legislative business resumed.

On motion of Mr. Hyde, the Secretary was directed to ask the House of Representatives to return to the Senate, House bill entitled

H. 178. An act to tax deposits in savings banks.

Mr. Chapman, from the Committee on Finance, submitted the following report:

*To the Senate now in session:*

The Committee on Finance, to whom was referred the joint resolution relative to the payment of the grand list clerks, have considered the same, and respectfully report that the two clerks who have made up the grand list were appointed to that position by the Clerk of the House, knowing the provisions for and amount of payment for such services; that they receive the same per diem as members of the General Assembly; that many young men, applicants for the place, would have been glad to have done the business and held the position for the pay now provided by law. The committee are of the opinion that however faithful the clerks may have been in the discharge of duty, they have been no more faithful than have members of the General Assembly or other clerks in the service of the General Assembly, and therefore should receive no particular addition to their pay.

C. H. CHAPMAN, for Committee.

SENATE CHAMBER, November 9, 1865.

Whereupon the third reading of a joint resolution to pay the grand list clerks was refused.

Mr. Reed offered the following resolution:

*Resolved*, That when the Senate adjourn it adjourn to meet at eight o'clock to-morrow morning;

Which was agreed to.

A message was received from the House of Representatives, by Mr. Flagg, their Clerk, as follows :

MR. PRESIDENT : I am directed to return to the possession of the Senate, agreeably to their request, House bill entitled

H. 178. An act to tax deposits in savings banks.

Mr. Hyde moved that a committee of conference be appointed on the part of the Senate, and that the House of Representatives be requested to appoint a similar committee on the disagreeing votes of the two Houses on House bill entitled

H. 178. An act to tax deposits in savings banks ;

Which was agreed to ; and thereupon the President appointed as the committee of conference, on the part of the Senate :

Senator Hyde,  
" Smith.

A message was received from his Excellency, the Governor, by Mr. Gay, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor, to inform the Senate, that he has approved and signed a bill, originating in the Senate, of the following title :

S. 66. An act authorizing the towns of Stowe, Morris-town, Hydepark, Johnson, Eden, Wolcott and Elmore, to raise money to build a railroad.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate proposals of amendment to House bill entitled

H. 111. An act in amendment of an act relating to the sale of real estate, including the homestead, by executors and administrators, and in amendment of chapter fifty-two of the General Statutes, approved November 22, 1864 ;

And have adopted the same in concurrence.

The House have refused to accede to the request of the Senate for a committee of conference on the disagreeing votes of the two Houses on House bill entitled

H. 178. An act to tax deposits in savings banks.

Mr. Abbott introduced the following resolution :

*Resolved*, That the Secretary be directed to inform his Excellency, the Governor, and the House of Representatives,

that the Senate have completed the business of the session, on their part, and are ready to adjourn without day;

Which was read and adopted.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered joint resolution from the Senate, providing for pay to assistant librarians;

And have adopted the same in concurrence.

The Governor has informed the House that he has approved and signed bills, originating in the House, of the following titles:

H. 95. An act to repeal an act therein named, and to re-enact section twenty of chapter twenty-two of the General Statutes;

H. 167. An act to amend section thirty-one of chapter one hundred and twenty-six of the General Statutes, relating to fees of county clerks;

H. 172. An act to amend section two of chapter forty-eight of the General Statutes, relating to probate courts;

H. 189. An act providing for taxing bank stock in the several banking associations in this State, formed under the act of Congress approved June 3, 1864, entitled "An act to provide a national currency";

H. 201. An act to authorize the publication of extra volumes of the decisions of the Supreme Court;

H. 111. An act in amendment of an act relating to the sale of real estate, including the homestead, by executors and administrators, approved November 22, 1864, and in amendment of chapter fifty-two of the General Statutes.

The Secretary of the Senate reported that he had waited upon his Excellency, the Governor, agreeably to the instructions of the Senate, and that his Excellency would soon communicate with the Senate, through the Secretary of Civil and Military Affairs; and that he had also informed the House of Representatives that the Senate had completed the business of the session.

Mr. Dorr, from the Committee on Bills, reported that he had presented to his Excellency, the Governor, for his approval and signature, bills originating in the Senate, of the following titles, viz:

S. 19. An act to incorporate the Rutland County Marble Company;

S. 18. An act to amend an act entitled "An act to incorporate the city of Burlington," approved November 22, 1864;

S. 26. An act relating to the duties of school district clerks;

S. 30. An act relating to the duties of teachers of common schools;

S. 32. An act to amend section seventy-three of chapter thirty of the General Statutes;

S. 33. An act laying a tax on the county of Chittenden;

S. 35. An act to incorporate the Camel's Hump Hotel Company;

S. 36. An act to incorporate the Green Mountain Silver Mining Company;

S. 37. An act to incorporate the Star Silver Mining Company of Nevada;

S. 38. An act to incorporate the First Congregational Society of West Randolph;

S. 39. An act to incorporate the Brandon Aqueduct Company;

S. 41. An act to incorporate the University of Vermont and State Agricultural College;

S. 42. An act to incorporate the Brandon Mineral Paint Company;

S. 44. An act to incorporate the McLeran's Falls Manufacturing Company;

S. 46. An act incorporating the Chittenden Marble Company;

S. 47. An act in relation to circus exhibitions;

S. 48. An act to incorporate the Addison County Marble Company;

S. 49. An act to incorporate the Rutland County Slate Company;

S. 50. An act laying a tax on the town of Averill;

S. 51. An act laying a tax on the town of Norton;

S. 54. An act to incorporate the Caledonia Manufacturing Company;

S. 55. An act to incorporate the Waterbury Falls and Crouching Lion Hotel and Road Company;

S. 57. An act to incorporate the Waterbury Cemetery Association;

S. 58. An act to incorporate the Hydeville Manufacturing Company;

S. 59. An act to pay William Storrs the sum therein mentioned ;

S. 60. An act in relation to appeals in criminal cases ;

S. 62. An act to incorporate the Rutland County Manufacturing Company ;

S. 63. An act to incorporate the Chittenden Kaolin and Paint Company ;

S. 64. An act to incorporate the Vermont Iron Company ;

S. 65. An act to incorporate the Rutland and Reese River Mining Company ;

S. 66. An act to authorize the towns of Stowe, Morris-town, Hydepark, Johnson, Eden, Wolcott and Elmore, to raise money to build a railroad ;

S. 67. An act to incorporate the Young Men's Association of Burlington ;

S. 68. An act to pay William Phelps, Alexander Garrison and Robert Bard the sum therein mentioned ;

S. 69. An act to pay Dorr Barney the sum therein mentioned ;

S. 70. An act in relation to the sale of shares of stock in private corporations for the non-payment of taxes ;

S. 71. An act to provide for the closing of the business of certain banks ;

S. 73. An act to incorporate the St. Albans Manufacturing Company ;

S. 74. An act in alteration of chapter seven, entitled "Of the State Library" ;

S. 75. An act extending the charter of the Orange County Bank ;

S. 76. An act to amend an act entitled "An act to incorporate the West Rutland Steam Marble Company," approved November 17, 1856 ;

S. 77. An act to preserve fish in the ponds in the town of Richmond ;

S. 79. An act to change the name of the Pittsford Marble Company ;

S. 82. An act in amendment of section two of chapter twenty-three of the General Statutes, entitled "Of the instruction of the deaf, dumb and blind" ;

S. 84. An act in amendment of section ninety-six of chapter twenty-two of the General Statutes.

Respectfully submitted,

SENECA M. DORR, for Committee.

A message was received from his Excellency, the Governor, by Mr. Gay, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT: I am directed by the Governor to inform the Senate that he has received their communication, that they have, on their part, completed the business of the session, and that he has no further communication to make to them.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have completed, on their part, the business of the session, and are ready to adjourn without day.

Mr. Dorr moved that the Senate do now adjourn;

Which was agreed to.

Before announcing the vote, the President briefly addressed the Senate, tendering his acknowledgments for the uniform kindness and courtesy extended to him during the session, and declared the Senate adjourned.

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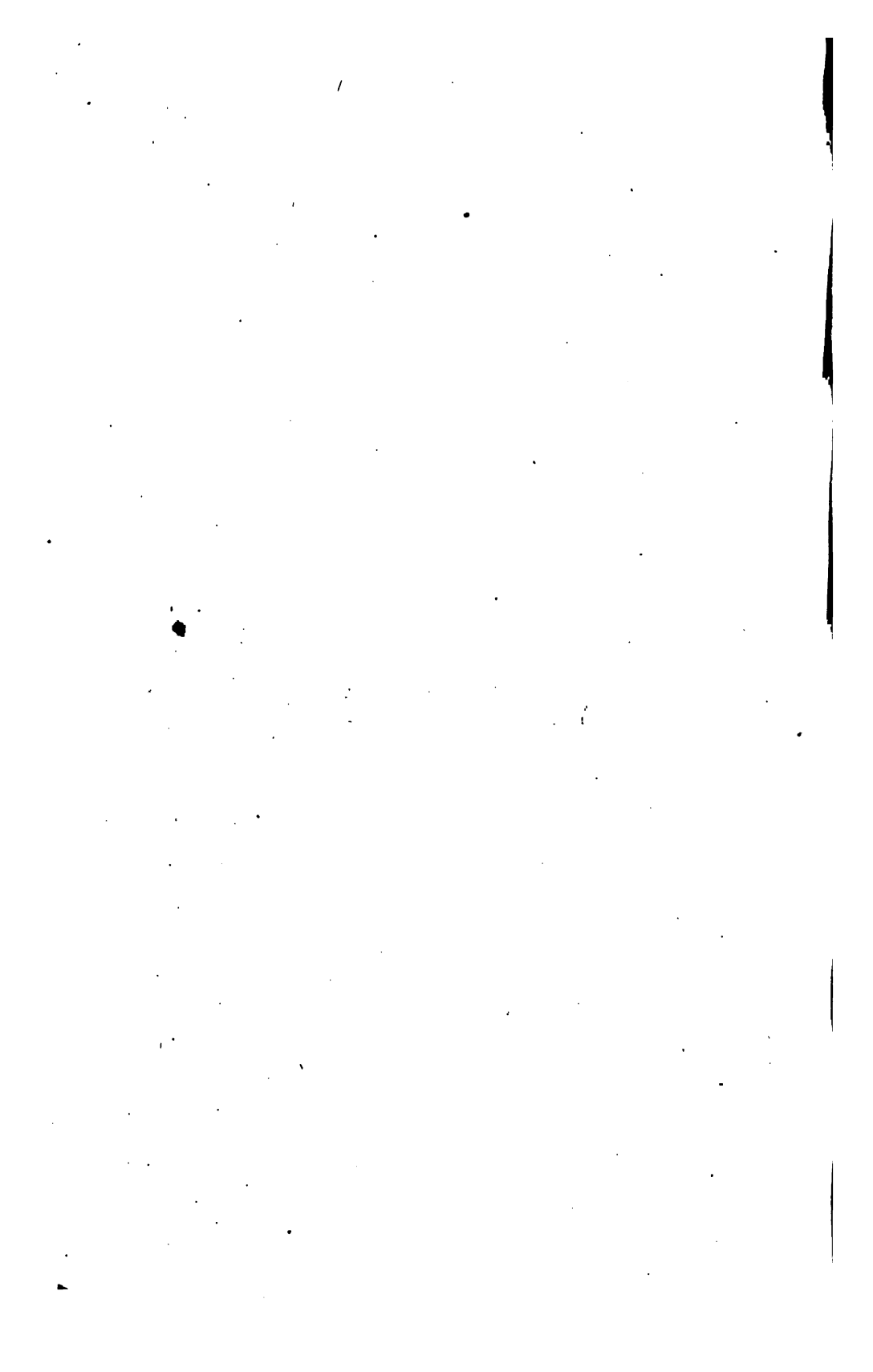
FRIDAY, NOVEMBER 10, 1865.

The hour (eight o'clock, A. M.) for the final adjournment of the General Assembly having arrived, the President declared the Senate adjourned without day.

Attest,

HENRY CLARK, *Secretary*.

# APPENDIX.



# APPENDIX.

## TREASURER'S REPORT.

*(Referred to on Page 7 of the Journal.)*

### STATE OF VERMONT IN ACCOUNT WITH J. B. PAGE, TREASURER. CREDIT.

By cash received as follows:	
Balance in treasury, September 5th, 1864,	\$434,096 56
State bonds of 1862, issued,	250,000 00
Balances from county clerks,	17,558 57
Fees from judges of probate,	10,304 30
Tax on foreign bank stock,	2,910 24
Railroad Commissioner's salary, 1863-4, sundry railroads,	242 88
Surplus fund notes, paid,	500 00
Agricultural College land scrip fund, balance,	21 80
Balance due for allotments and credits to officers and soldiers now in service,	38,049 04
Collected on tax of 1863,	5,363 52
Collected on tax of 1864,	1,301,939 74
Repaid by George F. Davis, Quartermaster General, by Auditor's order,	42,500 00
Organized militia, fines received for non-attendance of members at June drill,	16 00
Fines and costs from sundry persons, on account of liquor prosecutions,	293 10
Deductions from extra pay on account of commutation paid sundry soldiers,	371 89
Deductions from commutation, on account of bounties paid colored recruits,	12,995 90
In settlement of sundry accounts, from W. G. Shaw, Reporter,	\$800 00
G. W. Bailey, Jr., Secretary,	343 05
Charles Reed, Librarian,	46 80
Col. W. G. Veazey,	101 10
J. G. Henry, Quartermaster,	76 80
	<hr/>
Interest on taxes of 1863-4,	1,167 75
Interest on surplus fund notes,	163 42
Premiums and interest to date of issue on bonds of 1862,	155 55
	<hr/>
	721 26
	<hr/>
	\$2,000,939 51

## DEBIT.

To cash paid as follows:		
Debitures of General Assembly, October, 1864:		
Senate,	\$4,178 00	
House of Representatives,	26,186 00	
		\$30,364 00
Debitures of General Assembly, Extra Session:		
Senate,	\$718 00	
House of Representatives,	5,444 40	
		\$6,163 00

~~SALARIES—SUNDRY OFFICERS~~

Judges of the Supreme Court,	\$13,800 00
John B. Page, Treasurer,	500 00
D. Stewart, Auditor of Accounts,	500 00
G. W. Bailey, Jr., Secretary of State,	400 00
Samuel Williams, Sec'y of Civil and Military Affairs,	975 00
W. G. Shaw, Reporter Supreme Court,	337 50
W. G. Veazey, Reporter Supreme Court,	337 50
J. E. Dickerman, Bank Commissioner,	500 00
G. H. Rice, E. R. Commissioner, 1863-4,	500 00
J. H. Flagg, Clerk of the House of Representatives,	700 00
Charles Reed, Librarian,	187 50
G. B. Dodge, Sergeant-at-Arms,	150 00
	\$18,187 50

## SALARIES—JUDGES OF PROBATE.

C. G. Tilden, District of Addison,	\$225 00
Thomas White, " Bennington,	350 00
A. H. Gilmore, " Bradford,	550 00
A. L. French, " Caledonia,	750 00
T. E. Wales, " Chittenden,	900 00
Jonah Brooks, " Essex,	100 00
J. W. Hartshorn, " Essex,	100 00
C. M. Willard, " Fairhaven,	500 00
A. J. Samson, " Franklin,	900 00
A. Knight, " Grand Isle,	200 00
John Porter, " Hartford,	700 00
C. C. Chadwick, " Lamotte,	375 00
U. S. Kent, " Manchester,	350 00
H. Munsell, " New Haven,	500 00
M. R. Tyler, " Orleans,	600 00
J. R. Cleveland, " Rutland,	350 00
A. L. Brown, " Rutland,	350 00
T. R. Merrill, " Washington,	450 00
A. Stoddard, " Westminster,	500 00
Henry Closson, " Windsor,	700 00
	\$10,350 00

## SALARIES—STATE'S ATTORNEYS.

Henry S. Foot, Addison county,	\$450 00
A. L. Miner, Bennington "	300 00
J. Ross, Caledonia "	175 00
O. S. Burke, Caledonia "	175 00
R. S. Taft, Chittenden "	300 00
H. Heywood, Essex "	150 00
D. S. Storrs, Essex "	100 00
N. F. Wood, Franklin "	250 00
Henry Hill, Grand Isle "	150 00
P. K. Gleed, Lamotte "	300 00
John Rowell, Orange "	225 00
S. M. Gleason, Orange "	225 00
N. T. Sheafe, Orleans "	350 00
W. W. Grout, Orleans "	175 00
D. E. Nicholson, Rutland "	550 00
J. E. Bromley, Rutland "	275 00
H. Carpenter, Washington "	225 00
H. N. Hix, Windham "	225 00
C. B. Eddy, Windham "	225 00
C. F. Marsh, Windsor "	
(two years) 1,000 00	
	\$5,875 00

# APPENDIX.

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XI 11 4 19

Warrants drawn by his Excellency, the Governor :	
For military expenses,	\$71,476 07
For extra pay, previous to muster,	46 66
For aid of soldiers' families,	19,493 98
	<u>\$91,016 71</u>
Extra pay of seven dollars per month,	757,938 19
Commutation of extra pay,	41,950 00
Balance brought forward for allotments, and credits to officers	
and soldiers now in service,	127,002 47
Organized militia, pay-rolls for June drill, 1865,	7,073 00
Court orders,	29,697 45
Auditor's orders,	<del>222,426 86</del>
U. S. surplus fund, paid sundry towns,	3,100 23
Safety fund paid Receiver of Danby Bank,	750 00
Board of Education,	4,388 07
Bear certificates,	360 00
Loan of 1857, paid,	500 00
Loan of 1859, paid,	50,000 00
Loan due October 1, 1864, paid,	9,000 00
Loan due November 1, 1864, paid,	7,000 00
Loan due January 1, 1865, paid,	4,000 00
P. T. Washburn, Adj. and Ins. Gen., agent for procurement of recruits from Southern States, paid to towns,	\$300,075 54
Received from recruiting agents, and commutation of recruits,	16,297 46
	<u>292,778 08</u>
G. F. Davis, Q. M. General, advanced by order of the Governor,	10,000 00
P. P. Pitkin, Q. M. General, advanced by order of the Governor,	\$192,056 72
Repaid by Auditor's order,	185,747 60
	<u>6,309 12</u>

## SPECIAL APPROPRIATIONS.

Vermont State Prison,	\$10,125 00
Vermont Insane Asylum,	5,000 00
J. Gregory Smith, Commissioner of deaf, dumb and blind,	5,030 36
William Haskins,	50 00
Levi Tucker,	15 00
	<u>20,220 36</u>

## INTEREST.

On bonds of 1861,	\$53,850 00
On bonds of 1862,	37,305 00
On bonds of 1857,	25 00
On loan of 1859,	2,120 00
On State taxes, and 3 per cent. discount on advance	
pay money,	29,056 69
On allotments,	4,174 61
On surplus fund, paid towns,	886 18
On safety fund, paid Receiver of Danby bank,	380 00
On loan of 1863,	11,208 27
Balance on loans,	541 67
	<u>140,477 42</u>
Balance in treasury, September 5th, 1865,	19,497 01

Treasurer's Office, Rutland, September 5th, 1865.

\$2,009,369 51

## TREASURER'S REPORT—STATE FINANCES.

*To the Auditor of Accounts:*

Sir:—In connection with this report of the present condition of the State Finances, I submit statements of the transactions of this department during the fiscal year just closed, with a summary of the extraordinary receipts and disbursements, covering the period of the war, as appear from the records of this office.

## RECEIPTS DURING THE YEAR.

State bonds issued,	\$250,000 00
Sums paid by county clerks,	17,556 87
Fees paid by judges of probate,	10,304 30
Tax on foreign bank stock,	2,910 34
Surplus fund notes,	500 00
Agricultural College land scrip fund, balance,	21 80
Organized militia, fines received,	16 00
Taxes collected,	1,207,303 26
Deductions from extra pay and allotment,	13,367 79
Recruiting fund, to credit of Gen. Washburn,	16,397 46
Repaid by Gen. G. F. Davis,	42,500 00
Repaid by Gen. F. P. Pitkin,	185,747 60
Repaid by sundry persons,	1,460 85
Railroad Commissioner's salary,	242 88
Allotted pay, transmitted by paymasters,	55,757 00
Temporary loan, under act of 1863,	236,000 00
Temporary loan, under act of 1864,	202,000 00
Interest on taxes, surplus fund notes and bonds,	1,040 32

Balance on hand September 5, 1864,

\$2,342,226 06

434,096 56

\$2,667,023 00

## THE DISBURSEMENTS ARE:

Debentures of General Assembly, 1864,	\$30,364 00
Debentures of General Assembly, Extra Session,	6,163 00
Salaries,	34,312 50
Court and Auditor's orders,	266,769 75
Warrants drawn by the Governor,	91,016 71
Extra State pay,	757,838 19
Commutation of extra pay,	41,250 00
Organized militia, services at June drill,	7,072 00
Recruiting fund, Gen. Washburn's orders,	309,075 54
Advanced P. P. Pitkin, Q. M. General,	192,056 72
Advanced G. F. Davis, Q. M. General,	10,000 00
U. S. surplus, sundry towns,	3,100 23
Safety fund, paid Receiver Danby Bank,	750 00
Board of Education,	4,388 07
Bear certificates,	380 00
Special appropriations,	20,230 36
Interest on bonds and loans,	140,477 42
Loans of 1857, paid,	500 00
Loans of 1859, paid,	50,000 00
Temporary loan of 1863, paid,	236,000 00
Temporary loan of 1864, paid,	202,000 00
Soldiers' allotments distributed,	144,710 52

Balance on hand September 5, 1865,

\$2,654,525 61

12,497 01

\$2,667,023 00

## CLASSIFICATION.

The foregoing may be classified as nearly as possible as follows:

## RECEIPTS.

State bonds,	\$350,000 00
Taxes,	1,907,303 28
Soldiers' allotments,	55,757 09
Agricultural College land scrip fund, balance,	91 80
Balance September, 1864,	494,086 58
	<u>\$1,937,178 71</u>

## EXPENDITURES.

Ordinary expenses,	\$122,767 02
War expenses, including organization and payment of the militia,	1,064,488 28
Soldiers' allotments,	144,710 52
Loans of 1857 and 1859,	50,500 00
Temporary loan, 1863,	20,000 00
Recruiting fund, repaid,	922,778 08
Balance interest account,	139,437 10
Balance September, 1865,	12,497 01
	<u>1,937,178 71</u>

## LOANS.

State bonds issued during the year under act of 1862, due in sixteen years from December 1, 1862, \$350,000 00.

These bonds have been negotiated at par. The remainder of the loan authorized under the act of 1863, being \$236,000, was required during the early part of the year. The notes issued have all been paid, together with \$20,000 00 of this same loan, outstanding at date of last report. The act of 1864 authorized the borrowing of \$500,000 00. Under this act, \$302,000 00 in notes have been issued and paid during the year, leaving authority to borrow, at the date of this report, \$198,000 00. As the resources of State revenue for the current year are nearly exhausted, it only remains for the Treasurer, in order to meet the drafts upon this department, to issue from time to time the balance of the loan of 1864, and repay the same from the proceeds of the next State tax. It will be observed that during the fiscal year \$436,000 00 has been borrowed as a temporary loan. This has been mostly taken by the State banks, some of them being required by their charters to loan to the State, on the Treasurer's requisitions and at the legal rate of interest. The system of national banking has in a great measure, and will soon entirely supersede our State banking system, and, there not being the same obligation resting upon the national banks to loan to the State, it will be in the position of every other borrower, and be required to pay the market prices for money. The large amount of U. S. bonds and certificates on the market, and the rate for money established by this demand, has led some of the States to authorize the payment, on short loans, of 7 3-10 per cent interest. Some action of a similar nature is required in this State, in order to facilitate the operations of the treasury. By the act of 1864, entitled, "An act making provision for military expenses," the Treasurer is authorized, under the direction of the Governor and Lieutenant Governor, to issue bonds of the State, to run not exceeding a period of twenty years, amounting in the whole to the sum of five hundred thousand dollars. It has not been deemed expedient to use the authority thus given, and no bonds have been prepared; and should the Legislature adopt the views expressed in another portion of this report, it would be well to repeal that part of the act giving authority to issue bonds, as above mentioned.

## TAXES.

The amount assessed and collected on the State taxes are as follows:

Tax of 1863, of 100 per cent. on \$975,230 66,	\$975,230 66
Deduct abatements and collection fees,	43,378 50
	<u>\$931,852 16</u>
Accounted for in 1864,	\$226,410 30
Accounted for in 1865,	5,363 52
	<u>931,773 82</u>
Due from unorganized towns in Essex county,	\$78 34

This balance is assessed upon non-resident lands, and the collector reports that, after due advertisement, he sold all the land for which he could get bidders, and inquires if he shall

bld off the remainder in behalf of the State, in that way settling the tax. There seems to be no provision for this condition of things.

Tax of 1864, of 125 per cent. on \$1,923,803 66, \$1,925,805 63

Deduct abatements and collection fees, 56,331 06

\$1,909,534 77

Add 125 per cent. on list of unorganized towns and gares,

1,819 58

\$1,911,354 33

Accounted for in 1865,

\$1,909,534 77

Balance to be accounted for,

\$2,814 50

Due from Andover,

\$767 19\*

" Bloomfield,

1,388 39

" Brunswick,

361 96

" Eastleton,

2,645 61

" Colchester,

173 34

" East Haven,

966 18

" Fairfax,

1,801 51\*

" Hartland,

336 66\*

" Salem,

318 40\*

" Stowe,

504 31\*

" Stratton,

786 58

" Vernon,

300 63

" Goshen Gore,

327 95

" Goshen and Harris Gore,

300 00

" Unorganized towns in Essex county,

693 88

\$9,414 50

By the provision made in the eighth section of the act of 1864, "making provision for the support of Government," there was paid into the treasury, on and before the 5th day of February last, \$974,089 13, including the allowance of 3 per cent. on the amount paid. This result proves conclusively that the provision was a wise one on the part of the Legislature.

#### EXTRA PAY.

The payments the current year are:

Due previous to muster,

\$46 66

Due after muster,

757,566 30

Estimated (less deductions),

36,954 10

Total,

\$785,967 06

#### ALLOTMENTS.

Balance due soldiers, Sept. 5, 1864,

\$127,002 47

Received from U. S. Paymasters,

55,797 09

Paid on orders and receipts of soldiers and assignees,

\$182,739 56

Due soldiers on demand,

144,716 52

Total,

\$38,849 04

#### AGRICULTURAL COLLEGE FUND.

The care of this fund still remains with the Treasurer, and its present condition is as follows:

Proceeds of sale of land scrip,

\$122,626 40

Interest collected on bonds,

8,988 70

Total,

\$131,615 10

Invested in State bonds,

\$129,500 00

Invested in U. S. 7 3-10 bonds,

2,000 00

Balance, cash on hand,

65 10

131,565 10

#### SUMMARY OF DISBURSEMENTS AND RECEIPTS DURING THE PERIOD OF THE WAR—GOVERNOR'S WARRANTS.

Paid to September, 1861,

\$314,032 96

Paid to September, 1862,

416,316 47

Paid to September, 1863,

79,833 69

Paid to September, 1864,

71,031 29

Paid to September, 1865,

71,476 07

Paid to September, 1865, being Auditor's orders approved by the Governor,

228,247 60

\$1,179,938 08

Of this sum \$75,967 68 has been drawn in aid of soldiers' families.

\*Paid in full or in part since the books were closed for the year.

EXTRA PAY.

Paid to September, 1861,	\$24,705 62	
Paid to September, 1862,	504,159 12	
Paid to September, 1863,	1,059,444 78	
Paid to September, 1864,	901,638 34	
Paid to September, 1865,	785,867 06	
		<u>\$3,275,804 92</u>
		<u>\$4,455,743 00</u>
Direct tax paid United States,		179,407 80
		<u>\$4,635,150 80</u>
There has been reimbursed to the State by the United States,		
In 1862,	\$275,000 00	
In 1863,	332,303 11	
		<u>607,303 11</u>
		<u>\$4,027,847 69</u>
Ordinary expenses, which include interest on loans—for four years,		878,245 57
State bonds of 1857 and 1859, paid,		<u>150,000 00</u>
		<u>\$5,056,093 26</u>
Disbursements,		
The taxes assessed are :		
April, 1861, net,	\$91,301 20	
October, 1861, net,	463,699 42	
October, 1862, net,	737,042 84	
October, 1863, net,	931,852 16	
October, 1864, net,	1,182,297 64	
		<u>\$3,406,093 26</u>
State bonds outstanding :		
Due 1st June, 1871,	\$960,000 00	
Due 1st December, 1874,	950,000 00	
Due 1st December, 1876,	250,000 00	
Due 1st December, 1878,	250,000 00	
		<u>\$1,650,000 00</u>
		<u>\$5,056,093 26</u>
Receipts,		

ALLOTTED PAY.

Transmitted by Paymasters in 1862,	\$913,743 34	
Transmitted by Paymasters in 1863,	737,098 93	
Transmitted by Paymasters in 1864,	267,698 07	
Transmitted by Paymasters in 1865,	55,757 09	
		<u>\$1,974,297 43</u>
Paid on orders of soldiers and assignees :		
In 1862,	\$156,465 40	
In 1863,	619,658 62	
In 1864,	315,413 85	
In 1865,	144,710 52	
		<u>\$1,236,248 39</u>
		<u>\$38,049 04</u>
Due soldiers on demand,		
The general condition of the State finances at date of this report is as follows :		

FUNDED LIABILITIES.

State bonds outstanding,	\$1,650,000 00
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CURRENT LIABILITIES.

Loan of 1859, due 21st November,	\$25,000 00
County treasurers, tax on non-resident stock,	2,910 24
Due allotments,	38,049 04
Due receiver Danby Bank, safety fund,	12,375 00
Due towns, U. S. surplus fund,	11,179 18
Due Agricultural College Fund,	65 10
Estimated balance due for extra pay,	118,000 00
	<u>\$207,576 56</u>

## CURRENT RESOURCES.

Balance in treasury,	\$12,497 01	
Due on tax, 1864,	9,414 50	
Surplus fund notes,	1,000 00	
		<u>\$22,411 00</u>
Excess of current liabilities,		\$184,163 96
Estimated current expenses, viz:		
Interest on bonds and loans,		106,750 00
Other State expenses,		175,000 00
		<u>\$467,913 96</u>
To be provided for,		\$467,913 96
<p>The Grand List of the State will be about one million of dollars, representing one hundred millions of property. A tax of fifty cents on the dollar on the list, will provide for the current liabilities and estimated expenses for the coming year. Now that the expenses incident to the war are nearly closed, it seems to me that it would be wise to begin to provide for the State bonds outstanding. This may be done by adding, to the sums required for ordinary State expenses, the sum of one hundred and fifty thousand dollars each year, for the coming six years; the money thus to be realized, to be applied to the payment of the State bonds due in 1871. As these bonds are now quoted at ninety-five, a profit to the State would result, as well as a large saving of interest. As an instance of the working of this plan I give the figures for the next year:</p>		
Estimated current liabilities,	\$467,913 96	
First instalment to pay bonds,	150,000 00	
		<u>\$617,913 96</u>

To raise this sum, a tax of sixty-five cents on the grand list of the State would be required, and for the five succeeding years, unless some extraordinary expenses should occur, the tax would not average forty cents on the list, and would leave the State debt, in 1871, at \$750,000 00, which can be provided for as the bonds fall due.

J. B. PAGE, Treasurer.

TREASURER'S OFFICE, RUTLAND, September 5, 1865.

# REPORT OF JOHN HOWE, JR., RELATIVE TO STATE AID FOR SOLDIERS' FAMILIES IN VERMONT.

(Referred to on Page 18 of the Journal.)

To his Excellency, J. Gregory Smith :

Enclosed is respectfully submitted a report of the expenditures for State aid to soldiers' families, under the acts of April 23, 1861, and November 14, 1862.

In accordance with your instructions, I have endeavored to equalize the amounts paid to the different towns applying for aid, in proportion to the number of its soldiers in service, and, so far as it was possible, this has been done, but the circumstances under which assistance has been claimed not always being the same, render it impossible to preserve, in all cases, an exact equality.

With the happy termination of the war, the calls for assistance have nearly ceased, and will soon be entirely closed. The statements of amounts expended the last six months exhibit the reduction as our soldiers have returned to their homes.

For all details of management, I would respectfully refer to previous reports.

There is one unsettled claim, from the agent of Corinth, about \$250 00, which I have not deemed it proper to allow. I know of no other claims.

*Statement by towns of all the agents appointed; Average Number of Families, and Number in the Families, aided one month; with total amount of aid from Sept. 1, 1864, to Sept. 1, 1865, giving Average per Family and per Head, per month, with the number of months the Families were aided.*

Towns.	Agents.	Average No. of families per month.	Average No. in family per month.	Amount of aid.	Average per family per month.	Average per head per month.	Months aided.
Addison	J. W. Strong	1	6	\$10 00	\$10 00	\$1 67	1
Arlington	Levin Hard						
Albany	D. F. Mackreess						
Athens	Chas. Whitney						
Bridport	John B. Huntley	3 2-10	14 8-10	267 00	8 13	1 78	10
Bristol	G. A. Collamer	2 3-6	14	123 00	8 20	1 06	6
Bennington	Perez Harwood	9 2-10	39 6-10	385 87	4 30	99	10
Barnet	Robert Harvey	1 1-3	5 2-3	40 00	10 00	2 35	3
Burke	Chas. C. Newell						
Bolton	J. H. Whitcomb						
Burlington	Henry Loomis	9 4-12	37	800 00	7 14	1 80	12
Brighton	S. D. Hobson						
Bakersfield	N. F. Wood						
Berkshire	Merrill J. Hill	1	4	45 00	15 00	3 75	3
Belvidere	Thos. Potter	1	4	150 00	18 75	4 68	8
Bradford	Jonathan Johnson	2	8	334 61	54 10	13 52	3
Braintree	S. E. Batchellor	1 5-6	6 4-11	162 57	7 74	2 32	11
Brookfield	Marcus Peck						
Barton	F. S. French	1 5-8	7 3-8	160 42	12 34	2 72	8
Brownington	Daniel H. Austin	3 6-10	12 9-10	280 50	7 80	2 17	10
Brandon	Robert Forbes	4	15 8-11	601 86	13 67	3 47	11
Barre	Chas. Q. Reed	3 5-12	17 2-12	391 75	9 55	1 90	12

Towns.	Agents.	Average No. of families per month.	Average No. in family per month.	Amount of aid.	Average per family per month.	Average per head per month.	Months aided.
Berlin	J. W. Wheelock						
Brattleboro	N. B. Williston						
Barnard	Solon Danforth						
Bethel	Geo. Francis						
Bridgewater	Chas. S. Raymond	1	6	31 92	6 38	1 06	5
Cornwall	Chas. D. Lane						
Charlotte	James Squier	2 1-7	7 6-7	147 50	9 83	2 68	7
Colchester	Chas. F. Storrs	2 1-5	9 1-5	138 28	12 57	3 00	5
Canaan	Wm. Rich						
Cambridge	E. N. Bennett	1 1-8	8 1-8	18 00	6 00	1 05	2
Corinth	E. Richardson	1	6	55 09	7 87	1 31	7
Charleston	E. C. Richards						
Coventry	Loren Soper						
Craftsbury	Jas. A. Paddock	1	2 1-8	38 82	19 41	7 76	2
Castleton	Hyde Westover	2 4-11	11 5-11	222 96	8 57	1 77	11
Chittenden	Hiram Baird						
Clarendon	Henry Hodges	1 6-10	5 9-10	66 81	4 18	1 13	10
Cabot	Benj. F. Scott	1 5-6	9 2-12	147 50	6 17	1 34	12
Calais	Alonzo Pearce	1 2-8	5	91 50	9 15	2 22	8
Cavendish	Saml. L. Thompson	3	12 2-4	122 56	10 21	2 45	4
Chester	D. A. Sherwin	1	5 2-8	154 15	19 27	3 67	6
Dorset	Hiram Holley						
Danville	Chas. F. Weeks	1 6-8	5 7-8	91 75	6 55	1 25	8
Derby	Alvin Robbins	2 3-12	12	269 81	9 99	1 87	12
Danby	H. Dillingham	1 1-2	10 1-2	25 00	31 67	4 52	2
Duxbury	H. B. Comings	1 6-7	10 2-7	60 59	4 66	84	7
Essex	T. W. R. Nichols	1 2-7	4	56 30	6 26	2 01	7
East Haven	A. S. Howard	1	2	15 00	15 00	7 50	1
Eden	N. M. Darling	2 3-9	10 3-9	224 00	10 67	2 41	9
Elmore	Levi H. Doty	2	8 2-3	121 22	20 30	4 68	3
East Montpelier	J. G. Putnam						
Ferrisburgh	C. C. Martin	2 9-11	14 4-11	223 00	9 45	1 85	11
Fairfax	Lyman Hunt	1 1-2	9	20 72	6 91	1 15	2
Fletcher	Luther Wells						
Franklin	Vincent Horskins						
Fairhaven	C. Reed	2 6-11	8 3-11	507 54	18 13	5 58	11
Fayston	W. B. Porter	1 7-8	8 3-8	202 28	13 53	3 03	6
Goshen	Charles Washburn						
Granville	E. M. Hubbard						
Groton	J. E. Darling						
Georgia	M. Wightman						
Grafton	Henry Holmes	1	4 1-2	55 00	27 50	6 11	2
Gulford	Samuel L. Hunt						
Hinesburgh	F. H. Baldwin	1 7-10	6 9-10	121 00	7 12	1 75	10
Huntington	Henry Brewster						
Highgate	Z. K. Drury	1 1-2	8 1-2	24 00	8 00	1 41	2
Hydepark	Alonzo Cobleigh	3 1-10	16 3-10	276 54	8 92	1 70	10
Halifax	Martin Scott, 2d						
Hartford	Benjamin Porter						
Hartland	Albert B. Burke						
Iraaburgh	Thomas Jameson	6 6-10	34 2-10	647 70	9 81	1 89	10
Jericho	L. L. Lane	1	8	60 00	15 00	1 88	4
Johnson	Alex. Riddle	2	10	68 58	11 43	2 22	3
Jay	David Johnson						
Jamacia	Rev. Robert Myers						
Leicester	A. E. Stanley	1	3	20 00	10 00	3 33	2
Lincoln	Charles E. Varney						
Landgrove	Calvin P. Mead						
Lyndon	G. J. Bundy	1	3	18 00	18 00	6 00	1
Lanesburgh	H. A. Cutting						
Lowell	Amasa Paine	3	13	47 00	15 66	3 62	1
Ludlow	F. C. Robbins	1	3	10 00	5 00	1 66	2
Middlebury	Calvin Hill	2 5-10	9 2-10	135 50	5 42	1 47	10
Monkton	Dani. S. Ladd	5 3-11	24 2-11	452 15	7 80	1 70	11
Manchester	Major Hawley						
Maidstone	D. H. Beattie						
Morristown	Geo. W. Hendee	6 2-7	21 1-7	515 96	11 73	3 48	7
Morgan	Saml. Lord	1	5	13 00	13 00	2 80	1

Towns.	Agents.	Average No. of families per month.	Average No. in family per month.	Amount of aid.	Average per family per month.	Average per head per month.	Months aided.
Mendon	Ezra Edson	1	4	20 00	10 00	2 50	2
Mount Holly	Saml. Hemmenway	2	8	71 97	17 99	4 50	2
Mount Tabor	L. P. Howe						
Marshfield	Andrew English	2 2-11	12 5-11	164 85	6 87	1 20	11
Middlesex	Wm. D. McIntyre	9 2-11	43 4-11	558 00	5 52	1 18	11
Montpelier	Joel Foster, Jr.	1 3-5	4 1-5	75 83	9 48	3 61	5
Moretown	A. C. Winship	2	10	174 88	29 15	5 83	3
New Haven	Henry C. Hunt	2	12	20 00	10 00	1 67	1
Newark	D. F. Johnson						
North Hero	E. Haynes	1	4	60 00	20 00	5 00	3
Newbury	H. W. Bailey						
Newport	Luther Baker	5 5-6	26 5-6	642 20	9 17	1 99	12
Northfield	Hosea Clark	1	4	23 31	5 83	1 46	4
Newfane	E. C. Walker						
Norwich	Wm. E. Lewis	1 4-8	12	198 18	16 52	2 06	8
Orwell	Earl Cushman	1	3	21 19	10 60	3 53	2
Orange	Saml. Kimball						
Panton	Horatio N. White						
Pownal	Elijah Barton	1	4	181 69	22 71	5 68	8
Pawlet	Henry H. Smith	2	12	15 00	7 50	1 25	1
Pittsford	M. C. Bogue						
Poultney	Henry Clark	1	4 1-2	50 00	25 00	5 56	2
Plainfield	Dennis Mould						
Putney	John Kimball	1 5-6	14 1-6	225 00	20 45	2 65	6
Plymouth	Thos. Moore						
Pomfret	Albro E. Perkins						
Peru	F. P. Batchellor						
Ripton	C. P. Ripley	1	7	39 00	6 50	23	6
Rupert	Henry Sheldon						
Ryegate	Wm. Whitelaw						
Richmond	Nathan Fay	1 4-7	10	193 61	11 14	1 75	7
Richford	A. W. Sears	5 3-7	27	231 41	6 09	1 22	7
Randolph	B. Tewksbury	2 4-12	10 4-12	387 32	13 83	3 12	12
Rutland	G. P. Hannum	1	4	30 00	5 00	1 25	6
Rockingham	A. S. Campbell						
Reading	H. H. Hammond						
Rochester	A. Cushman	5 7-12	26 5-6	531 39	7 93	1 54	12
Royalton	Calvin Skinner						
Roxbury	Wm. B. Orcutt						
Salisbury	A. M. Everts	2 4-10	16 6-10	120 00	5 00	72	10
Shoreham	Jos. M. Bishop						
Starksboro	Ira Bushnell						
Sandgate	Reuben Hard						
Shaftsbury	Hiram Barton						
Sunderland	Jerome Hill	12 2-12	48 5-12	1049 56	7 19	1 81	12
St. Johnsbury	John Bacon	1	4	14 00	7 00	1 75	2
Sheldon	R. J. Saxe						
St. Albans	Jos. D. Soule	1	4	36 28	5 18	1 22	7
Swanton	Wm. H. Blake	1 1-10	12 7-10	80 00	7 27	63	10
Stowe	Seth A. Fuller						
Salem	John Wilson						
Sherburne	Warner Bates	1	6 1-2	139 74	54 87	8 44	2
Shrewsbury	H. C. Gleason	1	5	71 38	10 20	2 04	7
Sudbury	Benoni Griffin						
Stratton	Joseph Pike	1	3	4 00	4 00	1 33	1
Sharon	Freeman Holt	3 5-6	14	419 20	8 92	2 50	12
Springfield	Chas. A. Forbush						
Stockbridge	M. Gay						
Thetford	Jeremiah Dodge	1	6	25 00	25 00	4 16	1
Topsham	R. M. Bill	2	8	25 63	12 82	3 20	1
Troy	O. N. Elkins						
Tinmouth	C. M. Noble						
Townshend	F. D. Sawyer	3 8-10	16 6-10	364 14	9 58	2 19	10
Vergennes	John E. Roberts						
Victory	Rev. Jacob Evans	1	4	6 25	6 25	1 56	1
Weybridge	Joseph Hayward	1	6 3-4	53 17	13 29	1 97	4
Whiting	Whitefield Walker						

Towns.	Agents.	Average No. of families per month.	Average No. in family per month.	Amount of aid.	Average per family per month.	Average per head per month.	Months aided.
Winhall	Francis Kidder	1	9	40 00	40 00	4 44	1
Woodford	Chas. M. Rlim	2	11	42 15	10 54	1 09	2
Walden	James Bell	2 4-8	14 1-8	304 58	18 23	3 23	2
Wheelock	Chas. Welch	17-9	9 4-9	94 50	5 90	1 11	9
Westford	J. H. Woodward						
Williston	Wm. Miller	1	4 2-3	26 00	8 67	1 84	3
Waterville	Jesse C. Holmes	1	8	20 00	10 00	1 25	2
Wolcott	Porter Crane	1 4-8	6 7-8	211 82	17 65	3 85	2
Washington	T. G. White	13-6	3 1-6	50 00	5 55	2 63	6
West Fairlee	J. G. Eastman	11-5	5 3-5	87 00	14 50	3 11	5
Westmore	Alonzo Bemis						
Wallingford	Dyer Townshend	2	7	20 05	10 02	2 86	1
Wells	Chas. C. Nichols	1	7	117 42	10 67	1 52	11
Waitsfield	Hiram Jones	16-10	7 2-10	207 76	19 08	2 88	10
Warren	Sylvester Upham	1	5 2-3	40 00	13 33	3 35	2
Waterbury	James Green	6	26	200 00	4 53	1 04	11
Woodbury	F. G. Putnam	1	4 1-2	22 00	10 00	2 29	2
Worcester	H. Templeton	17-10	8 5-10	85 00	5 00	1 00	19
Whitingham	P. Starr						
Weatherfield	Wm. M. Pingry	1	5	21 50	10 75	2 15	2
Weston	Asa B. Foster						
West Windsor	Thos. P. Hammond						
Windsor	Hiram Harlow						
Woodstock	George Mellich	2 2-8	9	224 68	13 04	3 26	8
				\$17,607 22			

Expenditures from September 1, 1864, to September 1, 1865, being total amount of State

Orders issued, \$17,607 22

Less received from Henry Loomis, 22 64

\$17,584 58

Number of families aided, 416.

Number of persons aided, 1,832.

#### EXPENSES.

For amount paid for postage stamps,	\$34 50
For amount paid Tuttle, Gay & Co., bill for books and blanks,	19 00
For amount paid D. L. Milliken for blanks,	6 00
For amount paid for express and stationery,	4 85
For amount paid Chas. H. Ross for keeping books and accounts one year,	200 00
For amount paid for traveling expenses,	6 75
For amount paid Tuttle, Gay & Co.'s bill paid by Auditor,	29 00
	\$300 10.

Statement of amounts expended the past six months, showing the decrease as our soldiers have returned:

For March, 1865,	\$1,681 99	For June, 1865,	\$1,062 80
For April, 1865,	1,350 35	For July, 1865,	513 32
For May, 1865,	1,389 02	For August, 1865,	513 62

Total amount of State aid to soldiers' families, from Oct. 1, 1861, to Sept. 1, 1865:

	Aid.	Expenses.
October 1, 1861, to September 1, 1862,	\$15,720 66	\$309 03
September 1, 1862, to September 1, 1863,	21,517 54	413 00
September 1, 1863, to September 1, 1864,	18,700 42	288 64
September 1, 1864, to September 1, 1865,	17,584 58	300 76

Total aid, \$73,542 20 Expenses, \$1,311 67

Respectfully submitted,

JOHN HOWE, Jr.

## REPORT OF THE TRUSTEES OF THE VERMONT AGRICULTURAL COLLEGE.

(Referred to on Page 67 of the Journal.)

To the Hon. Paul Dillingham, Governor of the State of Vermont :

SIR:—In behalf of the Trustees of the Vermont Agricultural College, we have the honor to report, that, in pursuance of an act of incorporation, a meeting of the board was held at Montpelier on the 2d day of May, 1885, when the board was duly organized, and at once proceeded to institute measures for a thorough and efficient canvass of the whole State, for the purpose of raising by subscription \$100,000, being the amount required by our charter as a condition to the location and continued existence of the corporation. The board next proceeded to appoint a committee to consider and report a plan of organization and course of study. This committee, at a subsequent meeting, reported as follows, viz :

### PLAN OF ORGANIZATION AND COURSE OF STUDY OF THE VERMONT AGRICULTURAL COLLEGE.

I. Real estate, one hundred and fifty acres or more, with farm-buildings, live stock and implements for illustrations in agriculture, stock-growing and rural affairs.

Divisions.—Field crops, vegetables, fruit garden, botanical garden, arboretum, including specimens of the principal trees and shrubs growing in the State.

II. College buildings.

Divisions.—Lecture and recitation rooms, chapel, library and room for librarian, museum of natural history, mineralogy, geology, woods, seeds, wool, insects, models of agricultural implements, and models of fruit in wax, chemical laboratory, rooms for philosophical and chemical apparatus and surveying instruments, hall for exhibitions and military drill, armory, rooms for the President and other officers, rooms for students, boarding or club-house for such students only as cannot be otherwise accommodated.

III. A President who shall discharge the duties of some department allotted to a professor.

IV. A Faculty, composed of the President and resident professors, who shall administer such rules of government and carry out such course of study as shall be established, and make and execute all other regulations necessary to proper order and discipline.

V. A farm superintendent, who shall, under the direction of the president, manage all the affairs of the farm and control all labor thereon, except such labor of students as the Faculty may place under control of professors or others, and shall keep an accurate account in detail of the operations of the farm, all expenses, labor, crops, stock, sales and consumption of products, and make an annual report, embracing the substance of such account, to the President of the College, on the first Tuesday of \_\_\_\_\_, in each year.

VI. The following departments, each under one professor and such assistants as may be necessary, viz :

1. Moral and Intellectual Philosophy and Political Economy.

2. Chemistry, and chemistry in all its relations to agriculture, embracing animal and vegetable productions.

3. Latin and Greek.

4. Modern Languages and Literature, including the English, French and German languages, History and English Composition.

5. Natural History, including Botany, Geology, Mineralogy, Zoology, Entomology.

6. Comparative Anatomy and Animal Physiology, including Veterinary Medicine and Surgery.

7. Mathematics and Military Science.

8. Physics, Mechanics, Surveying, Architecture and Drawing.

VII. Lectures to be provided for during the Winter term on Law of Contracts and Rural Affairs, and on Practical Farming, working of Mines and Technology.

VIII. The course of study to be four years. Provision for special courses to be made by trustees.

IX. For admission, students to be ——— years of age, and to pass such an examination in reading, writing, arithmetic, English grammar, and such other studies as the trustees may prescribe.

X. Military drill each day.

XI. Manual labor of students may be required in such manner as shall be arranged by the Faculty.

XII. Students to wear, while on parade or military drill, a dark-blue frock coat, dark pantaloons and vest, with bright buttons, and a blue military cap.

XIII. Tuition, until it can be given gratuitously, to be fixed by the trustees, with such free scholarships as may be established by public and private bounty.

This report, after discussion, was substantially adopted, leaving it open to such amendments as might render it more perfect, and such as it might be found desirable to receive.

In the effort to obtain subscriptions, no labor has been spared, and while liberal subscriptions have been made in such places as might be supposed to have some chance of securing the location of the College in their vicinity, it was found that all, or nearly all, were coupled with the condition that the college should be so located. There will be some subscriptions without limitations of this character, but the amount is comparatively small. The amount raised, or which could reasonably be counted upon, for any specified locality, has in no case exceeded twenty-five thousand dollars—a sum quite inadequate to the wants of an institution like the one contemplated, even with the fund derived from the donation of lands by Congress, and equally inadequate to the success and future independence of any college.

Having failed to obtain by subscription the amount required, the board deemed it their duty to present the subject to the existing colleges, to ascertain whether we might not through them, in some manner, secure the success of the undertaking.

To such inquiry the trustees of Norwich University responded adversely, and at their annual meeting resolved to have no connection with this institution. This resolution, however, has been recently reconsidered. But the University, being without funds, and with very limited property, the contributions which the citizens of Norwich have been understood to be in readiness to tender, would have been far below the amount required by the act of our incorporation, and wholly insufficient to establish the Vermont Agricultural College on a sure and proper basis—leaving a deficiency, only to be supplied by the Legislature, through a considerable appropriation, the making of which we have not felt authorized to anticipate.

Our information from the trustees of Middlebury College showed that there was not any reasonable hope of any union with us, or any change as to the character of their own institution, whose condition it is gratifying to believe is at the present time prosperous and satisfactory, which could be construed into a compliance with the terms of the act of Congress, or those of our charter.

The University of Vermont responded in such manner as led to further conference, and a mutual arrangement resulted, by which the joint funds of both institutions are to be devoted to carrying out a plan of instruction, which shall conform to the provisions of our charter. To perfect this arrangement, and to secure its successful operation, the action of the Legislature is necessary. We have, therefore, prepared a bill which meets the approval and will secure the acceptance of both corporations, which is herewith submitted, and to which we invite your attention, with the request that you will communicate the same to the Legislature for its consideration.

To show that this arrangement is a substantial compliance with the conditions of our charter, we submit a statement of the property of the University, as represented by its treasurer, and by others whose judgment may be relied upon, as follows:

Lands permanently leased,	\$67,000
Lands not leased,	3,000
Land in Burlington,	15,000
College buildings, including Medical,	30,000
Library,	20,000
Apparatus and Natural History collection,	5,000
Scholarship fund,	2,500
Recent subscriptions to endow the salary of the President, in case this union should be adopted,	25,000
	<hr/>
	\$167,500
Deduct for indebtedness,	16,183
	<hr/>
	\$151,317

About \$13,000 of the above property is held in trust for the purposes of specific instruction, which trusts would be complied with by the plan of instruction which the bill contemplates. We have, also, the assurance, which we rely upon, of additional large and liberal contri-

butions from the citizens of Burlington, for the procurement of the requisite quantity of land and the erection of more adequate buildings.

The general features of the bill referred to, are as follows:

In order to secure to the new institution all the funds of both corporations, and to enable each board of trustees to maintain its good faith in respect to the trusts committed to them, the bill provides that the two institutions shall be united, with joint corporate powers, and the trustees of each shall act jointly as one entire board in the management of the property and income of both institutions, and that each corporation shall have a permanent co-equal representation in the new board of control, and that the system of study and course of instruction shall be such as to make it conform to the objects of both institutions. To secure the success of the arrangement, and to ensure in all time the faithful execution of these important trusts, it is provided that the Supreme Court may, if the public good requires, annul this act and restore to each institution its original rights. This provision, while it affords ample protection to the interests of this corporation and to the public, likewise affords security for all those public and private trusts which are now protected under the permanent charter of the University.

In regard to the character of instruction and course of study, it is proper to say, that it did not seem practical or expedient to specify any precise plan or curriculum of study, as that might need to be raised with the increasing means or varying circumstances of the institution. It was, therefore, left subject to the general requirement that, "in addition to the instruction usually taught in other colleges, it should include such enlarged facilities and extended scope and variety in the study of those branches which relate to military tactics, agriculture, and the mechanic arts, as will render the whole instruction in conformity with the act of Congress as well as with the respective charters of the two institutions."

It was the understanding of the trustees of both institutions, that the act of Congress by its general scope and tenor contemplates the establishment of an institution which should so provide as to include that instruction generally taught in other colleges, and also furnish more ample facilities in the study of those branches which constitute its distinguishing character, and that to furnish these facilities in greater abundance than is provided in other colleges, where classical studies appear to enjoy a monopoly of time and attention, should be its "leading object."

That such was the opinion of our own board may be inferred from the plan of study reported, and favorably considered by us anterior to any negotiation with the trustees of the University, and it may be said, without intending to commit or foreclose the future action of the board, that it is not easy to see why the main features of our plan of study should not be adopted by the united institution, with, perhaps, a special course or courses for those whose want of time or means should require it.

In regard to a union with us of the other colleges, the object seemed so worthy that, notwithstanding the expression of dissent by their boards of trustees, it was deemed expedient, not to forever close the door against, but to provide for a voluntary union hereafter, should events render it desirable, and a section is inserted in the bill for that purpose.

In respect to the general provisions of the bill it is proper to say, that the intention has been that all the interests involved should be properly protected. Both institutions have, in a measure, the same general objects, viz: to promote the general interests of the community by the advancement of education, and the trustees of either could have no other motive than a desire, by means of combined effort and a combined fund, to secure the largest measure of usefulness to the public. While they have aimed to secure for each these distinctive objects, they have endeavored to make such union conducive alike to the interests of all. In submitting it to your consideration we desire to make some further suggestions to explain, and, as we hope, to justify the course we have adopted.

1st. By this arrangement we consider that we obtained a substantial compliance with the conditions necessary to the continued existence of our charter, and that it was the only mode of securing the success of the important enterprise committed to our charge.

2d. By it we shall reduce the number of rival institutions in our State, and convert one of them, at least, with its friends and patrons, to our support in carrying out this new and important experiment.

3d. By means of our common organization we can appropriate to our common use the same lands, buildings, library, cabinet and apparatus, the same corps of teachers and lecturers, the same financial management and discipline, and thereby economize and greatly augment the strength and usefulness of both.

4th. It will require all the means of both institutions combined to carry out, to any useful result, the objects contemplated in our charter, or to meet the plan of instruction which our own board of trustees, in view of its requirements, proposed to prescribe.

5th. In regard to the views we entertain of the intention of the act of Congress, it will be observed that our neighboring States have adopted the same liberal construction. It is understood that Rhode Island has connected her fund with those of the University. New Hampshire it is now supposed will do likewise. Connecticut, with a fund nearly twice as large as our own, has connected it with Yale College. Massachusetts, with a fund still larger, and increased by large subscriptions, has established an independent institution, and wisely located it in immediate proximity to Amherst College, with a view, doubtless, to present mutual aid, and, possibly, an ultimate union, and the plan of study does not essentially differ from that we propose; while New York, with the largest fund of all the States, bestowed the whole upon the People's College, already chartered, and endowed by private munificence, with the condition, in substance, that it should give that course of instruction and do all other things necessary to a strict compliance with the act of Congress.

If we would ensure the success of this important enterprise, and provide for such instruction within our own State as shall keep pace with the advance of civilization and social improvement; if we would aid and stimulate intelligent effort in all the departments of life,

by the development of thought, and the application of science to labor; if we would instruct our young men at home, and retain them here as citizens of our State, to forward the advancement of its social and material interests, we must, to a reasonable extent provide the facilities for pursuing the same wide range of study which they may obtain abroad, and which hitherto our own institutions have failed to supply.

Much time has already elapsed, and, of the five years allowed, but little more than one year remains in which to provide for such an institution as is required by the terms of the act of Congress under which the donation has been received. Earnest endeavors have been made by successive Legislatures, to make a wise and prudent disposition of the funds—none of which have been entirely successful. The arrangement, now proposed for the action and assent of the Legislature, we trust may meet with their approval, as we believe it will receive the cordial support of a large majority of the industrial classes of the State, as well as that of the friends of education generally, and, without further delay, certainly go at once into practical operation.

In conclusion, we regard the course we have herein recommended as the only practical course to be adopted under the circumstances, unless the Legislature shall provide the further amount required, by taxation, or shall deem it expedient to surrender the fund.

JUSTIN S. MORRILL,  
ELIJAH CLEVELAND,  
SENECA M. DORR,  
PETER T. WASHBURN,  
ORVILLE G. WHEELER,  
MONTPELIER, October 19, 1865.

TRENOR W. PARK,  
LEMUEL H. TABOR,  
HORACE FAIRBANKS,  
SAMUEL H. STEVENS,  
GEORGE G. BENEDICT.

AN ACT TO INCORPORATE THE UNIVERSITY OF VERMONT AND STATE AGRICULTURAL COLLEGE.

*It is hereby enacted by the General Assembly of the State of Vermont, as follows:*

SEC. 1. The University of Vermont and the Vermont Agricultural College, with such other corporations as may hereafter become united therewith, are hereby united and constituted a body corporate by the name of the "University of Vermont and State Agricultural College," for the purpose of carrying out the objects contemplated in their respective charters, and as such shall be and remain a body corporate forever, and as such may hold and convey real and personal estate, have a common seal, and have all the rights and powers incident to corporations.

SEC. 2. Each of the two institutions hereby united shall, on or before the fifteenth day of November next, elect by ballot, nine of their number, who, with their successors, shall thereafter constitute its board of trustees, and likewise constitute a part of the board of trustees of the corporation hereby created, and shall have the power, and it shall be their duty, by ballot among their own number, to elect successors to fill any vacancies among their number; and all the trustees so elected, and their successors, shall, together with the President, who shall be, ex-officio, a member, constitute an entire board of trustees of the corporation hereby created, who shall have the entire management and control of its property and affairs, and in all things relating thereto, except in the elections to fill vacancies, as aforesaid, shall act together jointly as one entire board of trustees: *provided*, that all future elections or appointments to said board of trustees shall be made with special reference to preventing any religious denominational preponderance in said board.

SEC. 3. Said board of trustees, a majority of whom may constitute a quorum for the transaction of business, may confer such honors and degrees as are usually given in colleges and universities, and any other appropriate degrees, and may, from time to time, as occasion may require, elect a President, also a Secretary, Treasurer, Librarian, Professors, Instructors, and any other necessary officers, and prescribe their duties, salaries and term of office, and may make all necessary by-laws and regulations for the government of themselves and others connected with the institution, not inconsistent with the provisions of this act, and therein prescribe the terms of admission, rates of tuition, modes of study and course of instruction, including any proper regulations for uniform, discipline, and military drill, as well as for experimental and practical instruction in the different branches of agricultural labor.

SEC. 4. Said board of trustees shall have the right to use, control, sell, or dispose of all the real estate and personal property now belonging to the University of Vermont, and belonging to any other institution at the time of its union, if such union shall be made with this corporation agreeably to this act, subject however, to the payment of any debts of such institutions existing at the time of such union, and subject to any trusts, duties and obligations connected therewith, and shall be entitled to receive and use, for the purposes aforesaid, the rents and uses of any of the aforesaid lands, including the rents and uses of all such lands as have been heretofore reserved in any charter of land in this State for the use and benefit of any college, and may have the same rights in respect to said lands and to any leases of the same, and to any rents arising therefrom, that said institutions respectively now have, and may maintain suits in their own name, or in the name of such new corporation, to recover the same: *provided*, that the rights of all parties shall remain, and the same defenses shall be had to such suits as if the same were brought in the name and as between the said original parties; and the corporation hereby created shall at all times assume, discharge and perform all the debts, duties, trusts and obligations which said several institutions were subject to at the time they became united in said new corporation, by virtue of this act.

SEC. 5. There shall at all times be maintained, in the institution hereby created, such instruction in the various branches of learning as is contemplated in the several charters of each of the institutions hereby united—and more particularly including a four years' course of studies, similar to such as are generally taught in other colleges, and not inferior to that recently taught in said University of Vermont, and in addition to that which is usually taught

in other colleges, the instruction in this institution shall include such enlarged facilities and extended scope and variety in the study of those branches which relate to military tactics, agriculture, and the mechanic arts, as shall render the whole instruction in conformity with said act of Congress, as well as with the several charters aforesaid.

Sec. 6. Said trustees may, in their discretion, obtain by gift, grant or otherwise, a tract of land which, together with the land now owned by the University of Vermont, shall amount to at least one hundred acres, to be used as an experimental farm, whereon they may make any desirable experiments in the breeding of stock, field culture, the analysis and adaptation of soils, and horticultural and botanical gardening, or either of them, as they may deem proper, and also for the purpose of military encampment, target-firing, drill and review; and said trustees may use, lease or dispose of the same as they may think proper, so as best to promote the objects of the institution. And in case said land shall be procured, as aforesaid, one-tenth of the money which has been received by the State Treasurer for the sale of land scrip, in pursuance of the act of Congress authorizing the same, shall be paid to said board of trustees for the purposes aforesaid: *provided*, that no agricultural labor shall be required of students except by their voluntary agreement or consent.

Sec. 7. Whenever this corporation shall have been duly organized, there shall be appropriated and paid to its treasurer annually, for the purpose herein mentioned, on the warrant of the Governor, the interest or the income which may be received from the fund created under and by virtue of the act of Congress.

Sec. 8. The corporation hereby created shall make annual reports to the Legislature of this State, of their condition, financially and otherwise, and make and distribute the reports required by the act of Congress herein referred to, and the Legislature may annually appoint a board of visitors, who may annually examine the affairs of said corporation.

Sec. 9. The permanent location of the institution hereby created, shall be in Burlington, in said State of Vermont, and the first meeting of the board of trustees shall be there held on the 15th day of November, next, at 7 o'clock P. M.

Sec. 10. The President and Fellows of Middlebury College and the Norwich University, or either of them, may hereafter, with the assent and concurrence by vote of a majority of each of the nine trustees elected, as aforesaid, and their successors, become incorporated and united with the corporation hereby created, by vote of their said corporations, at any meeting legally warned and held, and by leaving for record in the office of the Secretary of State a true and attested copy of such vote or votes, and of all the proceedings of the meeting or meetings at which the votes aforesaid were passed, and causing the same to be recorded in said office.

Sec. 11. If at any time the corporation hereby created shall fail substantially to carry out the provisions and requirements of this act, the Supreme Court of this State may in their discretion, at any stated session thereof, having first given due notice to said corporation, if they shall consider that the public good requires it, annul and vacate this charter, and in such case, or in case said corporation shall otherwise be dissolved, said Supreme Court may, on application, order and decree that the income thereafter to be derived from the proceeds of the sale of said land scrip in the hands of the State Treasurer as aforesaid, together with such amount as may have been paid over by said Treasurer for the purpose of an experimental farm, shall revert to said Vermont Agricultural College, and all the other property and effects which, at the time of said union belonged to said other institution, shall revert to and be the property of the other institution or institutions which shall have been united and incorporated by, or in pursuance of this act, and in case more than one such other institution shall have been thus united, such other property shall revert to them separately, such specific property to each as said court shall adjudge and decree, having reference in making such decree to what was originally owned or contributed by each: *provided*, that in respect to any property or funds hereafter acquired by said new corporation by gift, grant, bequest or otherwise, the same shall be awarded and distributed to each of the institutions hereby incorporated or hereafter united, in such manner as said Court shall deem just and equitable, having reference to the manner the same was acquired, and to any specific trusts, or expressed intention of any donors, made at the time the same was acquired. And for the purposes aforesaid, as well as for all other purposes, the said several corporations, which shall have been united by virtue of this act, shall be deemed and treated as having continued in life, and the several trustees which shall have been elected by each, at the time they were united, and their successors, shall be deemed and treated to have been, since the time of their election, the trustees of their respective institutions, as well as trustees of the united corporation, and as such trustees may receive the property and effects which may revert to their respective corporations by such decree of court, and the successors whom they may thereafter appoint, may continue and manage the affairs of their respective corporations thereafter, in the same manner as the trustees of each might have done before they were united as aforesaid.

Sec. 12. This act shall not take effect, until the two corporations hereby united shall, at a meeting duly warned, vote to accept the same, and to surrender and relinquish to the corporation hereby created, all the property belonging to them, whether real or personal, and all the rents, profits and income therefrom arising, including said proceeds from the sale of said land scrip, for the purpose, and subject to all the rights, trusts and conditions as in this act provided, and cause a copy of the record of such votes, duly certified by the secretaries of these respective corporations, to be left for record and duly recorded in the office of Secretary of State, whereupon, by virtue of such votes, such property, rents, profits and income shall become the property of the corporation hereby created, for the purposes, and subject to the rights, trusts and conditions aforesaid, and said property, and the property hereafter acquired by the corporation hereby created, shall be subject to all the conditions, immunities and exemptions now pertaining to the property now held by said University of Vermont.

Sec. 13. All of an act entitled "An act to establish the Vermont Agricultural College," approved November 22, 1864, which is inconsistent with the provisions of this act, is hereby repealed.

## REPORT OF THE TRUSTEES OF THE VERMONT STATE LIBRARY.

(Referred to on Page 68 of the Journal.)

*To the General Assembly of the State of Vermont:*

The Trustees of the State Library respectfully report that the additions to the State Library, since the last annual report, have been as follows:

By exchange with states, individuals and institutions, including pamphlets,	Vols. 223
By donation,	" 23
By purchase of Dinsmore & Co.,	" 56
By purchase of D. B. Canfield & Co.,	" 4
By purchase of Johnson & Ward,	" 1
	" 376

The Trustees repeat the suggestions contained in their last report, that a catalogue of the Library is called for to make its contents more accessible; and, that an additional appropriation seems advisable to complete as far as possible the defective sets of books in the Library, before a new catalogue is made.

We have again to call the attention of the General Assembly to the neglect, by State officers and printers, of the statute of 1863, entitled "An act in relation to the preservation and distribution of State documents."

All which is respectfully submitted.

PAUL DILLINGHAM,  
*President Board of Trustees,*

CHARLES REED, *Secretary.*  
Montpelier, October 25, 1865.

## LIST OF BOOKS RECEIVED AT THE VERMONT STATE LIBRARY FOR THE YEAR ENDING OCTOBER, 1865.

### BY EXCHANGE.

#### ARIZONA.

Acts of Arizona, 1864.

## CANADA.

Statutes of Canada, 1864;  
 " " 1865;  
 Journals of Legislative Assembly, 1865;  
 " " Council, 1864;  
 " " " 1865;  
 Session papers, 1864, 4 volumes;  
 " " 1865, 2 " "  
 Report of Postmaster General, 1864;  
 " Superintendent of Education for Lower Canada, 1863;  
 " Commissioner on Fishery Act, 1864;  
 " " Agricultural Instruction, 1864;  
 " Trade and Navigation, 1864;  
 " Commissioner of Crown Land, 1864;  
 " on Public Accounts, 1864;  
 " of Commissioner on Public Works, 1864;  
 " Minister of Agriculture, 1864;  
 Chronicle of the War of 1812;  
 Patents of Canada, 1849 to 1855, Vol. 2;  
 The Union of the Provinces of British North America, by Hon. Joseph Canham;  
 Debates on Confederation of British North American Provinces, 1865;  
 The Annual Volunteer and Service Militia List, 1865;  
 Maple Leaves, Legendary, Historical and Critical Essay, by J. M. LeMoine, Esq.;  
 Census of Canada, 1860-1, 2 Vols.;  
 Upper Canada, Queen's Bench Reports, Vols. 22 and 23.

## CALIFORNIA.

California Reports, Vols. 22, 23, 24, 25, 26, two copies of each;  
 Journal of Senate, 15th Session;  
 " Assembly, 15th Session;  
 Appendix to Journal of Senate and Assembly, Vols. 1 and 2.

## CONNECTICUT.

Connecticut Reports, Vol. 21;  
 Laws of Connecticut, 1864;  
 Senate Journal, Special Session, 1863;  
 House " " " 1863-4;  
 Senate and House Journal, May Session, 1864.

## INDIANA.

Law Reports, Vols. 18, 19, 20, 21, 22;  
 Session Laws, 1863.

## IOWA.

Law Reports, Vols. 15 and 16.

## KANSAS.

Kansas State Reports, Vol. 1.

## KENTUCKY.

Acts of 1865, Vols. 1 and 2, two copies;  
 House Journal, 1865;  
 Senate " "  
 Documents of 1863-4;  
 " " 1864;  
 School Report, 1864.

## LOUISIANA.

Auditor's Report, 1864;  
 Message of Gov. Bohn, 1864, in English;  
 " " " German, two copies;  
 " " " French, "  
 Report of State Library, 1864;  
 " Superintendent of Public Education, 1864.

## MAINE.

Maine Reports, Vol. 49 ;  
 Session Laws, 1864 ;  
 Adjutant's Report, 1863-4, 2 Vols. ;  
 Agricultural Report, 1863.

## MARYLAND.

Proceedings of Constitutional Convention, 1864 ;  
 Debates " "  
 Session Laws, 1865 ;  
 Senate Journals and Documents, 1865 ;  
 House " "

## MASSACHUSETTS.

Allen's Reports, Vols. 6 and 7, two copies each ;  
 Gray's " " 10 and 11, " "  
 Public Documents, 1863, 4 Vols. ;  
 Acts and Resolves, 1864, three copies ;  
 " " 1865 ;  
 21st Registration Report, 1869, four copies.

## MINNESOTA.

House and Senate Journal, 1864.

## MISSOURI.

Missouri Reports, Vol. 34 ;  
 Session Laws, 1865, three copies.

## NEBRASKA.

Session Laws, January, 1865 ;  
 House Journal, 1865 ;  
 Council Journal, 1865 ;  
 Catalogue of the State Library.

## NEVADA.

Journal of Senate, two copies ;  
 Statutes of Nevada, 1864-5, two copies ;  
 Appendix to Senate Journal, 1st Session, two copies.

## NEW HAMPSHIRE.

New Hampshire Reports, Vols. 16 and 17 ;  
 Session Laws, June and August, 1864 ;  
 The 18th Annual Common School Report, 1864.

## NEW JERSEY.

Dutcher's Law Reports, Vol. 29 ;  
 Chancery Reports, Vol. 13 ;  
 Nixon's Digest ;  
 Session Laws, 1864 ;  
 Legislative Documents, 1864 ;  
 Report of New Jersey Volunteers.

## NEW MEXICO.

Compiled Laws of 1865.

## NEW YORK.

New York Reports, Vols. 26 and 27 ;  
 Barbour's Supreme Court Reports, Vols. 41 and 42 ;

Laws of New York, 87th Session, 1864, two copies ;  
 " " 1865 ;  
 Senate Journal, 1864 ;  
 " Documents, 1864, 4 Vols. ;  
 Assembly " 1864, 12 "  
 New York Insurance Report, 1864 ;  
 Regent's Report, 1864-5 ;  
 17th Annual Report, Regent's University of New York, 1864 ;  
 Report of Directors of Hamilton College Observatory, 1864 ;  
 46th Annual Report Trustees New York State Library, 1864 ;  
 Report of Superintendent of Public Instruction, 1864 ;  
 " Trustees of State Library, 1865 ;  
 " Dr. Peters on Latitude and Longitude of Ogdensburg.

## OHIO.

Ohio Reports, Vol. 14 ;  
 Laws of Ohio, 1864 ;  
 Executive Documents, Parts 1 and 2, 1863, 2 Vols. ;  
 Auditor's Report, 1863 ;  
 Ohio Statistics, 1863.

## PENNSYLVANIA.

Law Reports, Vols. 45, 46 and 47 ;  
 Session Laws, 1864 ;  
 " " 1865 ;  
 House Journal, 1864 ;  
 Senate " 1864 ;  
 House " 1865 ;  
 Senate " 1865 ;  
 Executive Documents, 1863 ;  
 " " 1864, Vols. 1 and 2 ;  
 Legislative " 1864 ;  
 " " 1865 ;  
 Documents, 1865 ;  
 Report on National Cemetery, Gettysburgh ;  
 School Report, 1864 ;  
 Adjutant General's Report, 1862-3-4 ;  
 Report of State Library, 1864 ;  
 " Military Department, Executive Office, 1864 ;  
 In Memoriam, Hon. R. E. Reed ;  
 List of Pennsylvania Soldiers buried at Andersonville, Ga.

## RHODE ISLAND.

Law Reports, Vol. 7 ;  
 Session Laws, January Session, 1865 ;  
 Acts and Resolves of the General Assembly, May Session, 1865.

## TENNESSEE.

Message and Inaugural Address, by Gov. Brownlow, four copies ;  
 House Journal, 1865, two copies ;  
 Senate " " "  
 Laws of 1865, two copies ;  
 Report of Comptroller of Treasury, three copies.

## UNITED STATES.

Diplomatic Correspondence, 1861-2-3, parts 1 and 2 ;  
 House Journal, 1863-4, three copies.

## DEPARTMENT OF INTERIOR.

Documents of 3d Session, 37th Congress, two sets ;  
 Census of 1860 ;  
 Patent Office Report, 1861 ;  
 Meteorological Observations, Vol. 2, part 1 ; in all 56 Vols.

## UNITED STATES COAST SURVEY OFFICE.

Report of United States Coast Survey, 1863.

## SMITHSONIAN INSTITUTION.

Smithsonian Report, 1865;  
German Scientific Magazine, 1863-4.

## AMERICAN ANTIQUARIAN SOCIETY.

Proceedings of, October 21, 1864.

## NEW HAMPSHIRE HISTORICAL SOCIETY.

Collections of, Vol. 7.

## DEPARTMENT OF AGRICULTURE.

Report of, 1863;  
" 1864.

## PENNSYLVANIA HISTORICAL SOCIETY.

Memoirs of the Historical Society of Pennsylvania, Vol. 1.

## DONATIONS.

## PROF. C. C. TORREY, BURLINGTON.

Cherokee Testament, translated by Rev. S. A. Worcester, D. D., and the donor.

## HON. HENRY WILSON, U. S. SENATOR.

Anti-Slavery Measures in Congress, by the donor.

## HON. M. L. BENNETT.

Vermont Justice, by the donor.

## HON. SOLOMON FOOT, U. S. SENATOR.

Coast Survey, 1862;  
Report on Commerce and Navigation, 1864;  
" Foreign and Domestic Commerce, 1864;  
Congressional Globe, 1st Session, 38th Congress, 4 Vols.  
Patent Office Report, 1862, Vols. 1 and 2.

## HON. JACOB COLLAMER, U. S. SENATOR.

Commerce and Navigation, 1862;  
Statistics of Foreign and Domestic Commerce, 1864;  
Eighth Census, 1860.

## HON. E. P. WALTON.

Congressional Globe, 2d Session, 33th Congress, 2 Vols.

## DR. FELIX FLEIGEL, LEIPSIG.

One package German Scientific and Miscellaneous Works.

ALBERT WADHAMS, ESQ.

An Essay on the Origin and Use of Seals.

VERMONT MEDICAL SOCIETY.

Transactions of, 1864, 4 copies.

BY PURCHASE OF DINSMOOR & CO.

Bosworth's Reports, Vols. 7, 8, 9, 10;  
Howard's " " 24, 25, 26, 27;  
Bishop's Criminal Law, 2 Vols.;  
Chitty's Pleadings, 3 Vols.;  
Black's Reports, (U.S.), Vol. 2;  
Wallace's " " (U.S.) Vols. 1 and 2;  
Mills' Essays, 3 Vols.;  
" Hamilton, 2 Vols.;  
Palfrey's History of New England, Vol. 3;  
White's Shakspeare, Vol. 1;  
American Annual Encyclopaedia, 1864;  
Webster's Dictionary, Unabridged;  
American Question, Bright;  
Our Convicts;  
Introduction to Municipal Law;  
History of American Revolution, Green;  
Burns' Poems, 3 Vols.;  
Merrivale's History of the Roman Empire, 7 Vols.;  
" Conversion of " "  
Reason in Religion;  
Pioneers of France in the New World;  
Christian Examiner, 4 Vols.;  
Spencer's Works, 3 Vols.;  
Atlantic Monthly, 2 Vols.;  
N. W. Review, 4 Nos.;  
Raymond's Life of Lincoln;  
National Almanac, 1864.

BY PURCHASE OF D. B. CANFIELD & CO.

American Law Register, 4 Vols.

BY PURCHASE OF JOHNSON & WARD.

Johnson's New Illustrated Family Atlas.

PRINTED BY THE STATE.

Session Laws, 1864, 100 copies;  
House Journal, 1864, 100 copies;  
Senate Journal, 1864, 100 copies;  
Directory, 1864, 100 copies;  
Report of Adjutant & Inspector General, 1864, 100 copies;  
" Quartermaster General, 1864, 100 copies;  
" Secretary of Board of Education, 1864, 100 copies;  
" Auditor of Accounts, 1864, 100 copies;  
Vermont Law Reports, Vol. 35, 100 copies.

**BOOKS SENT FROM LIBRARY FOR EXCHANGE SINCE LAST REPORT.**

Vermont Reports, Vol. 35, Session Laws, 1864, House Journal, 1864, Senate Journal, 1864, Directory and Manual, 1864, School Report, 1864, Auditor's Report, 1864, Report of Adjutant and Inspector General, 1864, by mail and express, to

California,

Iowa,

Missouri,

Oregon,

Washington Territory,

New Mexico "

New Hampshire,

Maine,

Massachusetts,

Rhode Island,

New York, Albany,

New Jersey,

Delaware,

Maryland,

Colorado Territory,

Dakota "

Kansas,

Kentucky,

Nebraska.

Pennsylvania,

Indiana,

Michigan,

Ohio,

Illinois,

Secretary of State, Washington, D. C.,

Library of Congress, " "

Wisconsin.

Session Laws, 1864, House Journal, 1864, Senate Journal, 1864, Directory and Manual, 1864, School Report, 1864, Auditor's Report, 1864, Adjutant and Inspector General's Report, 1864, by express, to

Mass. Historical Society,

American Geographical and Statistical Society. N. Y.,

Smithsonian Institution,

American Antiquarian Society,

Pennsylvania Historical Society.

# REPORT OF THE TRUSTEES OF THE VERMONT STATE LIBRARY.

(Referred to on Page 68 of the Journal.)

## To the General Assembly of the State of Vermont:

The Trustees of the State Library respectfully report that the additions to the State Library since the last annual report have been as follows:

By exchange with states, individuals and institutions,	Vols. 230
By donation,	" 67
By purchase of W. H. Piper & Co.,	" 90
By purchase of Little, Brown & Co.,	" 55

Total number of Volumes, 442

Amount of the bill of W. H. Piper & Co.,	\$192 71
Amount of the bill of Little, Brown & Co.,	237 74

Total expenses for books, \$428 45

List of books received at and sent from the Library is annexed.

A catalogue of the entire Library will soon be required, and that the defective sets of reports and other documents may be in some measure completed before its publication, as liberal an appropriation is recommended as the finances of the State will allow for the increase of the Library.

The suggestion has been made that an alcove in the Library should be removed so as to afford more room on the floor. The attention of the Legislature, through the action of its proper committees, is invited to the subject. This appears to be the proper source whence should come any decision to alter the public buildings.

The Legislature of 1863 passed "An act in relation to the preservation and distribution of public documents." The provisions of this law, if executed, would contribute much to its proposed objects; but they have been generally neglected the present year. This public notice of its disregard may direct the attention of public officers to its requirements in making their annual reports for the future. In our opinion this law may be improved by directing the precise number of volumes to be bound, and the precise parties to receive them.

Suggestions from any source for rendering the Library more advantageous for legislative purposes are solicited.

All which is respectfully submitted.

J. GREGORY SMITH,  
President of Board of Trustees.

CHARLES REED, Secretary.  
Montpelier, October 27, 1864.

**BY EXCHANGE.**

Journal of Legislative Assembly, 1863 ;  
 " " " " Council, 1868 ;  
 Session Papers, 1863, 3 Vols. ;  
 " Laws, 1st and 2d sessions, 1863 ;  
 Report of Postmaster General, 1863 ;  
 " Commissioner on Crown Lands, 1863 ;  
 " Annual, of Pierre Foster, Esq., on the Protection of Fisheries ;  
 " of Commissioner on Public Works, 1863 ;  
 " on State of the Militia ;  
 Flora Canadienne, 3 Vols. ;  
 Hesperus and other Poems, by Sangster ;  
 Les Oiseaux du Canada ;  
 Geology of Canada, 1863 ;  
 Public Accounts, 1863 ;  
 Miscellaneous Statistics ;  
 Tables of Trade and Navigation, 1863.

Supreme Court Reports, Vol. 22 ;  
Session Laws, 1863-4, two copies.

Journal of the House of Representatives, May session, 1863 ;  
 " Senate, " 1863.

**Council Journal, 1863-4 ;**  
**House " 1863-4 ;**  
**Session Laws, 1863-4.**

Supreme Court Reports, Vols. 27, 28, 29, 30 ;  
 Breese Beecher " Vol. 1 ;  
 Public Laws of 1863 ;  
 Private " 1863 ;  
 Adjutant General's Report, 1863 ;  
 Report of Superintendent of Schools, 1863.

**Laws of 1863, three copies.**

**Supreme Court Reports, Vol. 14 ;  
Session Laws, 1864, three copies.**

**Metcalf's Kentucky Reports, Vol. 4 ;  
Acts of General Assembly, 1863-4, two copies ;  
Report of Adjutant General ;  
" Superintendent of Public Instruction, 1868.**

LOUISIANA.

Proceedings (in English and French) of the Constitutional Convention, 1861;  
Debates in Convention for Amendment of Constitution.

MAINE.

Supreme Court Reports, Vol. 48;  
Acts and Resolves of 1863;  
Legislative Documents, 1863;  
Report of Adjutant General, 1863;  
Agriculture and Geology of Maine, by Goodale, 1863.

MARYLAND.

Maryland Law Reports, Vol. 19;  
Session Laws of 1864;  
House Journal, 1864;  
Senate " 1864.

MASSACHUSETTS.

Allen's Reports, Vol. 5;  
Acts and Resolves, 1863, three copies;  
Public Documents, 1863, 3 Vols.

MICHIGAN.

Michigan Reports, Vol. 11;  
Session Laws, Extra session, 1864.

MINNESOTA.

Minnesota Reports, Vols. 6, 7, 8;  
Laws of 1863-4;  
Senate Journal, 1863;  
House " 1863;  
Executive Documents, 1863-3.

NEVADA TERRITORY.

Session Laws of 1863-4, 2 Vols.

NEW HAMPSHIRE.

New Hampshire Reports, Vol. 43;  
Laws of June session, 1863, two copies;  
Senate and House Journal, 1863;  
School Report, 1863.

NEW JERSEY.

Laws of 1863, two copies.

NEW YORK.

Smith's Reports, Vol. 11;  
Barbour's " Vols. 37, 38, 39, 40;  
Laws of 1863, two copies;  
Senate and Assembly Journals, 1863, two copies;  
Senate Documents, 1863, 5 Vols.;  
Assembly " " 9 Vols.;  
Transactions of State Agricultural Society, 1863;  
Annual Report of Regents, 1863;  
Report of the State Cabinet, 1863;  
" " Library, 1863.

## OHIO.

Ohio State Reports, Vol. 13 ;  
 Senate Journal, 1863 ;  
 House Journal, 1863 ;  
 Report of Auditor, 1863 ;  
 " Directors of Ohio Penitentiary, 1863 ;  
 " Superintendent of State House, 1863 ;  
 " Commissioners of State Library, 1863 ;  
 " Board of Public Works, 1863.

## PENNSYLVANIA.

Pennsylvania State Reports, Vol. 43, 44 ;  
 Laws of 1863 ;  
 Report of Adjutant General, 1863 ;  
 " Transportation and Telegraph Department, 1863 ;  
 " Surgeon General, 1863 ;  
 " Board of Military Claims, 1863 ;  
 " State Librarian, 1863 ;  
 School Report, 1863 ;  
 Railroad Report, 1863.

## UNITED STATES.

Documents of Second session 37th Congress, 64 Vols., 2 sets ;  
 " First session 37th Congress, 5 Vols. ;  
 U. S. Official Register, 1863 ;  
 20 Maps Northeastern Boundary Line.

## WESTERN VIRGINIA.

Acts of 1864.

## WISCONSIN.

Wisconsin Reports, Vols. 14, 15.

## SMITHSONIAN INSTITUTION.

Dublin Quarterly Journal of Science for July, 1863 ;  
 " " " January, 1864 ;  
 " " " April 1864 ;  
 Smithsonian Report, 1862.

## AMERICAN ANTIQUARIAN SOCIETY.

Proceedings of April 7, 1864.

## VERMONT HISTORICAL SOCIETY.

House and Senate Journal of Iowa, 1858 2 Vols. ;  
 Constitutional Debates of Iowa, Vol. 1, 1857 ;  
 " Convention Journal, 1857 ;  
 Senate Journals, 1854-6 ;  
 Legislative Documents of Iowa, 1859-60 ;  
 House Journal of Iowa, 1856 ;  
 Appendix, 1856 ;  
 Laws of Iowa, 1848-56-60.

## C. L. FLINT, ESQ.

Agricultural Reports of Massachusetts, 1861-2.

## LIBRARY OF CONGRESS.

Catalogue of ;  
 Missouri Reports, Vols. 13, 14, 15, 19, 20, 21 ;  
 Maryland Chancery Decisions, Vols. 2, 1852 ;  
 " Reports, Vol. 1—by Magruder—1852.

## DONATIONS.

## HON. E. P. WALTON.

Congressional Globe and Appendix, 3d Session, 37th Congress;  
 Public Documents, Parts 1, 2, 3 and 4, 1862-3;  
 General Pope's Report;  
 Coast Survey, 1861;  
 Laws and Resolutions relating to Direct and Excise Tax;  
 Report of Committee on conduct of the war;  
 Census of 1860, Population.

## HON. SOLOMON FOOT, U. S. SENATOR.

Commercial relations of the U. S., 1862;  
 Finance Report, 1863;  
 Capt. Mullan's Report on a military road from Fort Walla-Walla to Fort Bent on;  
 Patent Office Report, Mechanical, 1861;  
 Smithsonian Report, 1863;  
 Navy Register, 1864;  
 Eighth Census of U. S., 1860, Population;  
 President's Messages, 1st Session, 38th Congress, 1863-4, 5 Vols.

## GEN. J. WATTS DE PEYSTER.

Manual of Common Council of New York, 1861;  
 Life of Field Marshal Torstenson, by donor;  
 Adjutant General's Reports of New York, 1862-3, 2 Vols.;  
 Eclairneur, Vol. 1;  
 Sons of Liberty in New York;  
 Proofs considered of the early settlement of Arcadia by the Dutch;  
 A Charade, or Parlor Drama;  
 Report to his Excellency, Washington Hunt, on the organization of the National Guard, by donor;  
 Strategy of Marshal Tramer, by donor;  
 The Ancient Mediæval and Modern Netherlands, by donor;  
 The Dutch Battle of the Baltic, by donor;  
 Materials for history, printed from original manuscripts;  
 History of Carancius, by donor;  
 Military Gazette, 1861;  
 Military Campaigns the Test of Generalship, by donor;  
 Carte de visite of Frederick the Great, Gen. Philip Kearney, Marshal Tramer, Hon. John Watts, Gen. J. W. Phelps, Marshal Torstenson;  
 Imperial photograph of Gen. Philip Kearney;  
 Small " John W. Phelps;  
 Address, "Secession in Switzerland and the United States compared," 2 copies.

## GEORGE F. HOUGHTON, ESQ.

Constitution and Canons of the Episcopal Church of Vermont, 1858.

## FREDERICK HASTED, ESQ.

The Writings, &c., of F. Hasted, 1863.

## HON. GEORGE P. MARSH.

Man and Nature, by the donor.

## JAMES S. PECK, ESQ.

Schiller's Thirty Years War.

## MARYLAND STATE FAIR ASSOCIATION.

Our Country in its relation to the Past, Present and Future.

## REV. C. S. SMITH.

Annual Report of Vermont Missionary Society, 1862-3, and 2 copies of 1864;  
 Thirty-eighth Report American Home Missionary Society, 1864.

**LEAVITT, ESQ., BOSTON.**

Reports of Boston Board of Trade, 1856 to 1863, 8 Vols.

**AMERICAN ANTIQUARIAN SOCIETY.**

Proceedings of April 7, 1864.

**HON. JOHN C. HAMILTON, N. Y.**

An Inquiry into the Formation of Washington's Farewell Address.

**HENRY CLARK, ESQ.**

Rules and Orders of the Legislature of Maine, 1864;  
Manual for the General Court of Massachusetts, 1864;  
Rules and Orders of the General Assembly of Rhode Island;  
Clerk's Manual of General Assembly of New York, 1864;  
Croswell's Parliamentary Manual;  
Zeigler's Legislative Manual.

**BY PURCHASE OF W. H. PIPER & CO.**

Hundred Boston Orators; 1864;  
Results of Slavery, by A. Coochin, Paris;  
" Emancipation " "  
N.J.A. Review, 4 Vols.;  
Army of the Cumberland, Rosecrans' Campaign;  
Alger's Future Life;  
War Powers, by Whiting;  
History of West Point, by Col. Boynton;  
Conspiracy of Pontiac, by F. Parkhurst;  
Life of Edward Livingston, by Hunt;  
Craig's English Language and Literature, by G. L. Craig, 9 Vols., large 8 mo.;  
America and her Commentators, by H. T. Tuckerman;  
Speeches of John A. Dix, 2 Vols. 8 vo.;  
Historical Sketches of American Loyalists during the Revolution, 2 Vols., by Sabin;  
Mill on Liberty;  
Lord Bacon's Works, 3 Vols.;  
Annual Cyclopaedia;  
Putnam's Rebellion Record, by Frank Moore, 6 Vols.;  
Life of Tourant, President of;  
National Almanac;  
Speeches of Wendell Phillips;  
Gen. Butler in New Orleans, by Parton;  
Mills' Political Economy, 2 Vols.;  
Barry's History of Massachusetts, 3 Vols.;  
The Gentleman;  
Sir Thomas Brown;  
Ticknor's Life of Prescott;  
Life of Winthrop, by Robert C. Winthrop;  
Liddell's History of Rome;  
Christian Examiner, 1 Vol.;  
History of Harvard University, 2 Vols., by Josiah Quincy;  
" Williams' College, by Calvin Dufree;  
Robertson's Sermons;  
Life of Wirt, by Kennedy;  
Norton's Evidences;  
Greenleaf's Cruise on Real Property, 3 Vols.;  
Vallandigham's Trial;  
Gilbert on Banking;  
Ferguson's History of Rome, 3 Vols.;  
Diary of the Revolution, by Frank Moore, 2 Vols.;  
Life of Jonathan Trumbull, Sen.;  
Mint Manual. published under direction of the Mint;  
Speeches of Robert Rantoul;  
Duer's Constitutional Jurisprudence;  
Life of Franklin, by Parton, 2 Vols.;  
Potomac and Rapidan, by Quint;  
Sanger's History of Prostitution;  
Art Idea;  
Set of Atlantic Monthly, 13 Vols.;  
Warren's Physician;  
The Problem of Human Destiny, by Dewey;  
Parson's Essays.

**LITTLE, BROWN & CO.**

Sherwood's Blackstone, 2 Vols;  
 Sedgwick's Constitutional Law;  
 Redfield on Railways;  
 " Wills;  
 Boutwell's Manual;  
 United States Digest, Vol. 21;  
 Burrill's Law Dictionary, 2 Vols.;  
 Brightley's Supplement;  
 Walker's American Law;  
 Lawrence on Visitation and Search;  
 Bishop on Marriage and Divorce, 2 Vols.;  
 Philimore's International Law, 2 Vols.;  
 Watts and Sergeant's Reports (Penn.) 9 Vols;  
 " " " " 10 Vols;  
 Rose and Watts' " " 3 Vols.;  
 Sergeant and Rawle's " " 17 Vols.;

**PRINTED BY THE STATE.**

Session Laws, 1863, 100 copies;  
 House Journal, 1863, 110 copies;  
 Senate Journal, 1863, 100 copies;  
 Report of Secretary of Board of Education, 1864, 100 copies;  
 Auditor's Report, 1864, 100 copies.

**BOOKS SENT FROM LIBRARY FOR EXCHANGE SINCE LAST REPORT.**

Gov. Holbrook's Valedictory Address, Gov. Smith's Inaugural Message, Auditor's Report, 1863, School Report, 1863, Adjutant General's Report, 1863, Railroad Report, 1863, Directory, 1863, by mail, to

California,  
 Connecticut,  
 Delaware,  
 Illinois,  
 Indiana,  
 Iowa,  
 New Mexico Territory,  
 Utah,  
 Washington  
 Nebraska,  
 Colorado,  
 Nevada,  
 Dakota,  
 Kentucky,  
 Maine,  
 Maryland,  
 Massachusetts,  
 Michigan,

Minnesota,  
 Missouri,  
 New Hampshire,  
 New Jersey,  
 New York,  
 Ohio,  
 Oregon,  
 Pennsylvania,  
 Rhode Island,  
 Tennessee,  
 Wisconsin,  
 Kansas,  
 Canada,  
 Massachusetts Historical Society,  
 American Antiquarian "  
 Smithsonian Institution,  
 Library of Congress,  
 Secretary of State.

Vermont Reports, Vol. 34, House and Senate Journals, 1863, Session Laws, 1863, Registration Report, 1860-1, by express and mail, to

Connecticut,  
 Delaware,  
 Illinois,  
 Indiana,  
 Kentucky,  
 Maine,  
 Maryland,  
 Massachusetts,  
 Michigan,  
 Minnesota,  
 Iowa,  
 California,  
 Oregon,  
 Washington Territory,  
 Utah,

New Hampshire,  
 New York,  
 New Jersey,  
 Ohio,  
 Pennsylvania,  
 Rhode Island,  
 Tennessee,  
 Wisconsin,  
 Secretary of State,  
 Library of Congress,  
 Kansas,  
 Nebraska,  
 Colorado,  
 Nevada,  
 Dakota.

House and Senate Journals, 1863, Session Laws, 1863, Registration Report, 1860-1, by express, to

Smithsonian Institution,  
 American Antiquarian Society,

Massachusetts Historical Society,  
 N. Y. Geographical and Statistical Society.

RESOLVES OF THE LEGISLATURE OF RHODE ISLAND IN  
RELATION TO THE RECONSTRUCTION OF THE STATES RE-  
CENTLY IN REBELLION.

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*(Referred to on Page 62 of the Journal.)*

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WHEREAS, The Government of the United States has re-established its authority in the states which were recently in rebellion against it; and

WHEREAS, some of said states are already proceeding to organize state governments with a view to re-instatement in the Union; and

WHEREAS, in a matter so vitally concerning the welfare of the whole Union, it is important that the opinion of that portion of the people who have always continued faithful to the cause of the Union should be authoritatively declared, in order that it may have its proper weight and influence; it is therefore

*Resolved*, That it is the sense of the General Assembly and people of this state, that in the reconstruction of the government of the states lately in rebellion against the government and authority of the United States, the moral power and legal authority vested in the Federal Government should be executed to secure equal rights, without respect to color, to all citizens residing in those states including herein the right of the elective franchise.

*Resolved*, That the secretary of state is hereby instructed to send a copy of these resolutions to the President of the United States, to the governors of the several states, and also a copy to each of our senators and representatives in Congress, who are hereby requested to present the same to the two Houses of Congress.

**RESOLVES OF THE LEGISLATURE OF MICHIGAN ON THE SUBJECT OF PROVIDING FROM GENERAL GOVERNMENT DONATION OF LANDS FOR FEMALE COLLEGES.**

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*(Referred to on Page 62 of the Journal.)*

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*Resolved by the Senate and House of Representatives of the State of Michigan :*

That our senators and representatives in Congress, be and are hereby requested to use their influence to procure a donation of lands by Congress, to endow female colleges in the several States.

*Resolved,* That we hereby invite and urgently recommend the legislatures of the several states to co-operate with the state of Michigan, in procuring from the Federal Government a grant of land for the aforesaid purpose.

*Resolved,* That the governor be and is hereby requested to transmit a copy of the foregoing resolutions to each of our senators and representatives in Congress, and to each of the legislatures of the loyal states.

REPORT OF THE COMMITTEE ON THE JUDICIARY ON STATE'S ATTORNEYS.

(Referred to on Page 85 of the Journal.)

SENATE CHAMBER, Oct. 28th, 1865.

To the Honorable Senate now in session :

The Committee on the Judiciary, to whom was referred so much of the message of his Excellency, Governor Dillingham, as related to "Salaries and Fees of State's attorneys," respectfully report that they have considered the same, and are of the opinion that the belief of his Excellency—"That crime, now, is not so thoroughly ferreted out, <sup>and</sup> the criminal so certainly brought to trial, conviction and punishment, as when these officers were first for what they did, and for nothing more"—is true ; and while we are loth to believe that members of the legal profession would accept an office of the importance of the one named without intending at the time to faithfully perform its duties, the testimony, which comes to us from almost all parts of the State, convinces us that the observations of the Governor are correct.

The committee are decidedly of opinion that the present mode of paying State's attorneys is impolitic and unwise. We deem the salaries under the existing laws to be too small a compensation for the services actually required of them, in the proper discharge of their duties, while to increase them would be but an increase, in most cases, of the evils already complained of ; as, judging from the best information we have been able to obtain, we fear that in some counties the persons holding the office, have regarded it more as a *sinecure* than an office, upon the due administration of the duties of which depend the safety and good order of society.

While we consider crime to have been on the increase for some years past, there has been an actual decrease of the numbers convicted and committed to the State Prison, as the following statistics for the last six years, ending on the first day of September in each year, will show. Number committed for year ending Sept. 1, 1860,

1860,	42
1861,	44
1862,	46
1863,	32
1864,	17
1865,	31

Whole number in Prison Sept. 1, 1860,	98
1861,	99
1862,	98
1863,	74
1864,	55
1865,	60

This lessening of the number of convicted criminals would be highly gratifying did we regard it as evidence of a decrease of the crimes punishable by confinement in the State Prison ; but as stated above, we think the contrary to be true, and that at the present time crime is fast increasing. This no doubt has arisen to some extent from the disbanding of the armies engaged in the late rebellion ; for all must admit that about an army cluster the mass of the refuse population of our country, who are expert teachers of scholars *too apt* to learn the vices incident to a dissolute life spent in the drug-shops, brothels and thieving dens of our cities.

The letting loose of this class from the camps of the army has scattered them abroad through the land, and no pains should be spared to bring to punishment these men, who compose a considerable portion of the criminals of our country; and the severity of their sentences, when convicted, should be a lesson to deter others from the commission of like offenses.

To compare the labors of the various State's attorneys, and ascertain with what energy the duties of their offices have been performed, we have obtained what statistics we could in relation to persons convicted, and fines and costs collected in the various counties.

Section fifty one of chapter twelve of the General Statutes requires all damages, fines, costs, bonds and recognizances belonging to the State to be paid to the county clerks of the various counties. There must, as a matter of course, be a great difference between the sums paid in the various counties, depending to a great extent upon the population. We give below a statement, obtained from the Auditor's Report, of moneys thus paid for the year ending Sept. 1, 1865:

Addison county,		\$348 28
Bennington "		108 26
Caledonia "		702 72
Chittenden "		2,225 26
Essex "		140 50
Franklin "	nothing.	
Grand Isle "	no returns.	
Lamoille "	nothing.	
Orange "		203 29
Orleans "		136 21
Rutland "		2,942 26
Washington "		180 29
Windham "		450 19
Windsor "		4,083 55

\$10,892 48

By section sixty-four of the same chapter, the several State's attorneys are required to transmit, annually, by the second Thursday in October, to the Secretary of State, a statement of all persons convicted, for the year ending October 1st, on indictment or information in their respective counties, with the age, nativity, occupation of and crime committed by each person. Regulations for acquiring statistics of this character are of importance enough to demand the attention of the Legislature, and should be strictly complied with; yet we find but seven of the fourteen attorneys have complied with the law. The other counties must be extremely free from crime to have no cases of this character to report. The names of the counties, with the number of persons convicted of felonies, or State Prison offenses, are as follows:

Addison county,	2
Caledonia "	2
Chittenden "	8
Grand Isle "	0
Rutland "	3
Washington "	1
Windsor "	4

We regard the evils existing to have arisen from the manner of paying the persons holding the office, viz: a salary, which the person obtains without being compelled to perform much duty, instead of fees for what he actually does perform. We think a system combining both principles the preferable one: similar to that adopted by the United States in paying its attorneys. An attorney is required to furnish \$7,000 bail, besides making returns and doing some other duties, for which nothing can be properly provided in the bill of fees. For these services, and for taking upon himself the duties of so responsible an office, we think the incumbent should receive a salary in addition to the fees for the main duties of the office. We think the practice of re-electing a person but once to the office, is an injurious one, for considerable time must elapse after one has entered upon the duties of the office before he can profitably perform them.

We are also of opinion that the interests of the State would be promoted by providing for the appointment of an Attorney General, to assist the State's attorneys in the trial of all capital cases, and in the Supreme Court, and to advise and consult with the Governor and State officers, upon matters pertaining to the business of their offices. We find, from the Auditor's Report, that during the past year there has been paid to special attorneys, for services in such cases, including some items of expense, the sum of sixteen hundred and thirty-three dollars. We think that such services would be better performed by one who understood that it was his duty to do so, without being especially appointed, and sometimes at as little a day as to be able to make but a slight preparation. And we are informed by some of the officers of the State, that they have felt the need of such an official frequently.

In consideration of the facts herein stated, we present for your consideration the accompanying bill, which, although it may be imperfect, will, we think, remedy many of the imperfections of the present system; and at the same time be more just to the persons holding the office of State's attorney. In our opinion its passage would increase their efficiency, graduate their pay by the services performed, and save a large amount of money to the State.

All of which is respectfully submitted.

CHARLES REED,  
RUSSELL S. TAFT, } Committee.

## LETTER FROM P. P. PITKIN, QUARTERMASTER GENERAL.

(Referred to on Page 169 of the Journal.)

QUARTERMASTER GENERAL'S OFFICE,  
Montpelier, Vt., Nov. 3, 1865.

To Wm. W. Henry, Chairman of Joint Committee in reference to the military property of the United States, now in the custody of this State :

SIR:—I have the honor to acknowledge the receipt of your communication of this date, enclosing copy of a resolution providing for a joint committee, consisting of two senators and three representatives, to investigate and report to their respective Houses what, if any, legislation is needed concerning the disposition of the military property of the United States, now in the custody and use of this State, or any part thereof, and requesting a statement from me in regard to the same.

The following is a correct copy of a requisition for arms, accoutrements and ordnance stores made by me, and approved by his Excellency, J. Gregory Smith, as Governor of Vermont, and upon which all property belonging to the Ordnance Department which has been received by the State during the year was procured, except that which was furnished by request of the Governor for the defense of the frontier.

## COPY.

{WASHINGTON, D. C., Dec. 12, 1864.

GENERAL:—I have the honor to request that you cause to be forwarded to me at Montpelier, Vt., with as little delay as practicable, the following named articles of ordnance and ordnance stores, viz: 3 six gun batteries of light 12 pound Napoleon guns, with accoutrements and equipments complete, including harness and 720 rounds of spherical case shot, and 720 rounds of canister fixed ammunition for the same; also 1200 sets of cavalry arms and accoutrements and equipments complete, including 1200 Remington carbines, 1200 Colt's revolvers, 1200 cavalry sabres, and 120,000 rounds of carbine ammunition, and 120,000 rounds of revolver ammunition for the same; also 15,000 Springfield rifles, with accoutrements complete, and 600,000 rounds of ammunition for the same, for the purpose of arming and equipping the militia of the State of Vermont.

I am, sir, very respectfully, your obedient servant,  
P. P. PITKIN, Q. M. General State of Vermont.

To BRIG. GEN. A. B. DYER,  
Chief of Ordnance, U. S. Army.

All of the above named stores, and those furnished by request of the Ex-Governor, Hon. J. Gregory Smith, for the defense of the frontier, with the exception of ammunition, were receipted for by me upon receipts, form 8, as required by paragraphs 1447 and 1448, Revised Army Regulations, of which the following is a correct copy, viz: "I hereby acknowledge to have received of the United States, by the hands of \_\_\_\_\_ of the United States Army, the following arms and accoutrements, viz:

The whole being equivalent to \_\_\_\_\_ muskets, which are received on account of the quota of arms due to the State of \_\_\_\_\_ under the act of April, 1808, for arming the whole body of the militia, and for which I have signed triplicate

receipts." I understand the law referred to in the above receipt to be the only authority by which the Ordnance Department of the United States army can transfer property to a state. The camp equipage received by me from the United States, was loaned to me by the Quartermaster General, upon the authority of the Secretary of War, for the use of the militia of the State, and was so receipted for by me. The invoices now on file in my office also show that that property was delivered to me for that specific purpose.

All of the ordnance stores and other property received by me from the United States during the year, is safely stored in the State Arsenal, except that which has been issued for the use of the militia, in accordance with an act entitled "An act for organizing the militia," approved November 22, 1864.

I regret that the appendix to my report, made to his Excellency, the Governor, on the 1st day of October, in compliance with law, and which contains a detailed account of all public property which has come into my possession or under my control, could not have been printed and distributed at an earlier day for the information of the Legislature. I am satisfied however that Mr. Walton, who is printing the same, is doing his utmost to complete the work as early as possible.

Very respectfully, your obedient servant,  
P. F. PITKIN, Q. M. General State of Vermont.

## REPORT OF THE COMMITTEE ON FINANCE.

(Referred to on Page 198 of the Journal.)

*To the Senate now in session :*

The Committee on Finance, to whom was referred the bill from the House entitled (H. 5) "An act in amendment of section six of chapter eighty-three of the General Statutes, taxing the income of United States bonds, respectfully report :

*First.* That the committee find no provisions in section six of chapter eighty-three of the General Statutes, authorizing the taxing of the income of United States bonds, as the title of the bill under consideration would seem to indicate.

*Second.* The bill proposes to amend the first subdivision of said section six of chapter eighty-three of the General Statutes, which has already been amended by the law enacted at the October session, 1864, entitled "An act in amendment of section six of chapter eighty-three of the General Statutes, entitled 'grand list,'" approved Nov. 22, 1864.

The bill proceeds to use the precise words of the act of 1864, and without referring to the same, and exempts from taxation, as does the law of 1864, "All real and personal estate owned by this State or the United States, and all stocks, bonds and other securities of the United States, held by individuals or corporations, which are specially exempt from taxation by laws of the United States, at the date of the making of the list." The bill then provides : "That this exemption shall not be construed as applying to the income of such bonds, stocks and other securities, but such income, after it shall have been paid by the United States, shall be taxable, and shall be set in the grand list, subject, like other personal property, to a deduction for debts due and owing from the persons listed."

The committee do not discover in what particular the bill changes the existing law, as established by the act approved Nov. 1864, hereinbefore alluded to. And yet the passage of some law at this time, construing the existing law for the listers in the discharge of their duty, may not be entirely useless, as it may tend to introduce a uniform practice throughout the State, in making up the grand list.

The committee believe that after the coupons upon the United States bonds have been paid, and the payee thus reduces the interest in that form to money on hand or "personal estate," within the meaning of section four of said chapter eighty-three, or if the avails of said coupons shall have been invested in other securities or property (not specifically exempt from taxation by the laws of the United States,) it is the duty of the listers to set the same in the list, in the same manner as other personal estate. To hold otherwise would be carrying the exemption too far, and farther than would be justifiable, when we consider that the organic laws of the State demand an equal taxation upon all persons and property, as the general principle of taxation. Nor is it believed that the necessities of the General Government require, or ever will require, any other construction than the one here given to the exemption from taxation of the bonds aforesaid. No state can tax these bonds, nor the income thereof, as a class of property subject to any other mode or rate of taxation than as mingled with and as part of the "personal estate" of the owner, the income becomes liable to assessment. But it may be doubted whether this bill, in view of the provisions of section six of chapter eighty-three, and the amendments of the act of 1864, does really allow of the construction which the authors of the bill intended.

The committee therefore recommend that the Senate propose to the House to amend the bill, as per accompanying paper, and when so amended are of opinion that the bill ought to pass.

CLARK H. CHAPMAN for Committee.

SENATE CHAMBER, NOV. 9, 1865.

## MANUAL OF THE LEGISLATURE OF VERMONT, FOR THE YEAR 1865.

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The "term" of senators and representatives means the term of service in both Houses. As to other officers, "term" means the number of years served by each in such office.

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### JUDICIARY AND CONGRESSIONAL DELEGATES.

<i>United States Officers.</i>	<i>Office.</i>	<i>When and where born.</i>	<i>Occupation.</i>	<i>Term.</i>
David A. Smalley, Burlington,	District Judge,	Middlebury, April 6, 1809,	attorney	9
Dudley C. Denison, Royalton,	" Att'y,	Royalton, Sept. 13, 1819,	attorney	1
Hugh H. Henry, Chester,	Marshal,	Chester, Oct. 18, 1814,	farmer	1
B. B. Smalley, Burlington,	Clerk,	Jericho, Nov. 26, 1836,	clerk	5
<i>Supreme Court of Vermont.</i>				
Luke P. Poland, St. Johnsbury,	Chief Justice,	Westford, Nov. 2, 1815,	attorney	18
John Pierpont, Vergennes,	Ass't "	Litchfield, Ct., Sept. 10, 1806,	attorney	9
James Barrett, Woodstock,	" "	Strafford, May 31, 1814,	attorney	9
Loyal C. Kellogg, Rutland,	" "	Benson, Feb. 13, 1816,	attorney	7
Asahel Peck, Burlington,	" "	Montpelier,	attorney	6
Wm. C. Wilson, Bakersfield,	" "	Cambridge, July 23, 1812,	attorney	1
Wheelock G. Veazey, Rutland,	Reporter,	Brentwood, N. H., Dec. 6, '35,	attorney	9
<i>Congressional Delegation.</i>				
Solomon Foot, Rutland,	Senator,	Cornwall, Nov. 19, 1802,	attorney	14
Jacob Collamer, Woodstock,	"	Troy, N. Y., 1789,	attorney	11
F. E. Woodbridge, Vergennes,	Represent'tive,	Vergennes, Aug. 29, 1819,	attorney	3
Justin S. Morrill, Strafford,	"	Strafford, April 12, 1810,	farmer	11
Portus Baxter, Derby Line,	"	Brownington, Dec. 4, 1806,	merchant	5

### CIVIL GOVERNMENT OF VERMONT.

<i>Executive Officers.</i>	<i>Office.</i>	<i>When and where born.</i>	<i>Occupation.</i>	<i>Term.</i>
Paul Dillingham, Waterbury,	Governor,	Shutesbury, Ms., Aug. 10, '90,	attorney	4
A. B. Gardner, Bennington,	Lt. Governor,	Pownal, Sept. 2, 1819,	attorney	3
John B. Page, Rutland,	Treasurer,	Rutland, Feb. 25, 1826,	bank presid't	6
George Nichols, Northfield,	Sec'y of State,	Northfield, Apr. 1827,	physician	1
D. G. Thompson, Montpelier,	Asst Sec'y "	Montpelier, Feb. 9, 1850,	coll. student	3
Chas. M. Gay, Rutland,	Sec'y Civil & Mil. Affairs,	Stockbridge, July 10, 1834,	editor	1
Dugald Stewart, Middlebury,	Aud'r of Acc'ts,	Middlebury, Sept. 26, 1831,	county clerk	3
Zebina C. Camp, Montpelier,	Serg't-at-Arms,	Tunbridge, Feb. 6, 1805,	civil engineer	1
Chas. Reed, Montpelier,	Librarian,	Thetford, Nov. 24, 1814,	attorney	6
C. W. Town, Montpelier,	Asst Librarian,	Montpelier, July 4, 1840,	student	4
G. W. Wing, Montpelier,	"	Plainfield, Oct. 22, 1843,	college stud't	2
Asa B. Camp, Stowe,	Bank Comm'r,	Stowe, May 6, 1825,	merchant	9
D. E. Nicholson, Wallingford,	R. E. "	Tinmouth, June 7, 1813,	attorney	1
P. T. Washburn, Woodstock,	Adj. & Ins. Gen.,	Lynn, Mass., Sept. 7, 1814,	attorney	5
P. P. Pitkin, Montpelier,	Q. M. Gen.,	Marshfield, May, 1826,	merchant	5
John S. Marcy, Royalton,	Judge Adv. Gen.	Windsor, March 7, 1799,	attorney	3

<i>Executive Officers.</i>	<i>Office.</i>	<i>When and where born.</i>	<i>Occupation.</i>	<i>Term.</i>
E. D. Warner, New Haven,	Comm'r Insane,		physician	2
J. A. Pollard, Windsor,	Sup't St. Pris'n,	Plymouth, Nov. 19, 1817,	farmer	3
C. A. Forbush, Springfield,	Directors	Reading, Jan. 8, 1832,	merchant	1
Samuel Merriam, Johnson,	of			
Henry Lane, Cornwall,	State Prison,	Cornwall, Feb. 14, 1824,	farmer	1
A. D. Hagar, Proctorsville,	State Geol'gist & Cur. of Cab.	Chester, Nov. 1, 1817,	geologist	4

## THE SENATE.

<i>Officers</i>	<i>Office.</i>	<i>When and where born.</i>	<i>Occupation.</i>	<i>Term.</i>
A. B. Gardner, Bennington.	President,	Pownal, Sept. 2, 1819,	attorney	5
Henry Clark, Poultney,	Secretary,	Middletown, Feb. 18, 1828,	merchant	5
J. P. Lamson, Cabot,	Ass't Secretary,	Elmore, Feb. 9, 1838,	attorney	2
Pliny H. White, Coventry,	Chaplain,	Springfield, Oct. 6, 1822,	clergyman	4
<i>Senators.</i>	<i>Address.</i>	<i>Rel. &amp; Pol. Pf.</i>		
<b>ADDISON COUNTY.</b>				
Lewis Meacham, New Haven,	cong u	Rutland, April 16, 1807,	farmer	5
Marcus O. Porter, Cornwall,	cong u	Tinmouth, May 16, 1807,	physician	3
<b>BENNINGTON COUNTY.</b>				
Ira Cochran, Dorset,	cong u	Londonderry, Nov. 4, 1810,	farmer	3
William E. Park, Woodford,	no pr u	Woodford, April 27, 1812,	farmer	4
<b>CALEDONIA COUNTY.</b>				
J. D. Abbott, Barnet,	cong u	Barnet, April 9, 1822,	farmer	4
George Ide, Lyndon,	cong u	Lyndon, April 20, 1820,	farmer	3
<b>CHITTENDEN COUNTY.</b>				
Amos Hobart, Westford,	cong u	Westford, Nov. 15, 1810,	farmer	4
Anson J. Crane, Huntington,	no pr u	Richmond, Dec. 6, 1826,	farmer	4
Russel S. Taft, Burlington,	univ u	Williston, Jan. 28, 1835,	attorney	1
<b>ESSEX COUNTY.</b>				
Lemuel H. Tabor, Concord,	univ u	Groton, Dec. 3, 1809,	clergyman	5
<b>FRANKLIN COUNTY.</b>				
William S. Rublee, East Berkshire,	epis u	Berkshire, August 17, 1815,	merchant	4
Albert G. Soule, Fairfield,	epis u	Fairfield, August 11, 1811,	merchant	5
Worthington C. Smith, St. Albans,	cong u	St. Albans, April 19, 1823,	merchant	3
<b>GRAND ISLE COUNTY.</b>				
Asahel Allen, North Hero,	cong u	North Hero,	farmer	3
<b>LAMOILLE COUNTY.</b>				
Samuel M. Pennock, Morristown,	univ u	Stratford, April 27, 1821,	merchant	2
<b>ORANGE COUNTY.</b>				
John B. Hutchinson, W. Randolph,	cong u	Braintree, October 8, 1819,	attorney	4
Samuel C. Clement, Corinth,	no pr u	Corinth, May 9, 1809,	farmer	2
<b>ORLEANS COUNTY.</b>				
Lemuel Richmond, Derby Line,	none u	Barnard, July 26, 1804,	physician	4
Jonathan F. Skinner, Barton,	cong u	Granth'm, N. H., Sept., 1903,	physician	3
<b>RUTLAND COUNTY.</b>				
Pitt W. Hyde, Castleton,	epis u	Sudbury, March 3, 1816,	marble d'ler	4
Seneca M. Dorr, Rutland,	meth u	Chatham, N. Y., Aug. 14, '21,	marble d'ler	3
John Howe, Jr., Brandon,	cong u	Boston, Mass., Sept. 24, '19,	manufac	1
<b>WASHINGTON COUNTY.</b>				
Charles Reed, Montpelier,	unita u	Thetford, Nov. 24, 1814,	attorney	4
Denslow Upham, Warren,	cong u	Weathers'fd, March 20, 1800,	farmer	4
William W. Henry, Waterbury,	cong u	Waterbury, Nov. 21, 1831,	farmer	1
<b>WINDHAM COUNTY.</b>				
Charles Barrett, Grafton,	cong u	Grafton, Jan. 28, 1830,	farmer	4
Stephen F. Flagg, Wilmington,	cong u	Wilmington, Feb. 20, 1810,	attorney	7
<b>WINDSOR COUNTY.</b>				
Clark H. Chapman, Proctorsville,	bapt u	Windham, Sept. 10, 1822,	attorney	9
Merrick Gay, Stockbridge,	univ u	Stockbridge, Nov. 15, 1802	manufac	5
Hoses Doton, Pomfret,	univ u	Pomfret, Nov. 29, 1809,	teacher	1
<b>Officers.</b>				
G. C. Frye, W. Concord, Door-keeper,	univ u	<i>When and where born.</i>	<i>Occupation.</i>	<i>Term.</i>
L. B. Flint, St. Johnbury, Ass't do	cong u	Concord, June 29, 1831,	merchant	4
L. J. Kallum, Iraaburgh, Messenger,	cong u	Williamstown, Oct. 10, 1810,	mechanic	3
John V. Brooks, Montpelier, "	cong u	Iraaburgh, Oct. 3, 1851,	student	1
Henry C. Robbins, "	cong u	E. Randolph, June 23, 1849,	student	2
<b>Legislative Reporter.</b>				
C. W. Merrill, Montpelier,	cong u	Montpelier, April 23, 1846,	coll student	3

## RECAPITULATION OF THE SENATE.

**Occupation.**—Farmers 12; attorneys 7; physicians 3; merchants 5; clergymen 2; marble dealers 2; manufacturers 2; teacher 1; mechanic 1; students 3.  
**Nativities**—Vermont 26; New Hampshire 1; Massachusetts 1; New York 1.  
**Oldest senator**—Denslow Upham, 65. **Youngest senator**—Russell S. Taft, 30.  
**Religious Preferences.**—Congregationalist 19; Episcopal 3; Methodist 1; Baptist 1; Unitarian 5; Unitarian 1; no preference 4.

## HOUSE OF REPRESENTATIVES.

<i>Officers.</i>	<i>When and where born.</i>	<i>Occupation.</i>	<i>Term.</i>
John W. Stewart, Middlebury, Speaker,	Middlebury, Nov. 14, 1825,	attorney	6
John H. Flagg, Wilmington, Clerk,	Wilmington, July 11, 1843,	attorney	2
Albert Clarke, Rochester, Assistant Clerk,	Granville, Oct. 13, 1840,	attorney	2
Joseph G. Houghton, Chelsea, " "	Dana, Mass., Sept. 13, 1842,	clerk	2
D. Webster Dixon, Grand Isle, " "	Grand Isle, March 17, 1840,	book keeper	1
M. E. Sprague, Weybridge, } Clerks to make	Weybridge, Sept. 14, 1823,	farmer	2
Isaac W. Sanborn, Lyndon, } up Grand List.	Lyndon, Feb. 16, 1833,	farmer	1
P. Deming, Burlington, Reporter,	Carlisle, N. Y., Feb. 4, 1829,	reporter	5

## ADDISON COUNTY.

<i>Towns.</i>	<i>Representatives.</i>	<i>Rel. &amp; Pol. Pf.</i>	<i>When and where born.</i>	<i>Occupation.</i>	<i>Term.</i>
Addison,	Charles Merrill,	cong u	Addison, Sept. 12, 1824,	farmer	2
Bridport,	Sheldon Smith,	bap u	Bristol, Nov. 26, 1810,	farmer	1
Bristol,	George W. Parmelee,	cong u	Bristol, Nov. 13, 1814,	merchant	1
Cornwall,	Henry Lane,	cong u	Cornwall, Feb. 14, 1824,	farmer	2
Ferriaburgh,	Michael Ball,	meth u	Ferriaburgh, Nov. 22, 1817,	farmer	2
Goshen,	James Carson,	meth u	Ireland, Feb. 22, 1818,	farmer	2
Granville,	Wm. C. Chaffee,	fr. th u	Rochester, Sept. 30, 1821,	farmer	2
Hancock,	None.				
Leicester,	A. S. Barker,	no pf u	Leicester, Jan. 1, 1816,	farmer	1
Lincoln,	Elihu Purinton,	bap u	Weybridge, Sept. 8, 1814,	farmer	6
Middlebury,	John W. Stewart,	cong u	Middlebury, Nov. 14, 1825,	attorney	1
Monkton,	Joseph Carter,	meth u	Orwell, Oct. 7, 1801,	farmer	2
New Haven,	Ira Gifford,	cong u	Tunbridge, Sept. 2, 1797,	farmer	1
Orwell,	Julius C. Thomas,	cong u	Orwell, Oct. 7, 1801,	farmer	2
Panton,	Emerson Holland,	no pf u	Hinesdale, Ms., May 21, '30,	farmer	1
Ripton,	Nathan McQuivey,	meth u	Williston, Sept. 4, 1819,	farmer	2
Salisbury,	A. M. Everts,	cong u	Salisbury, July 17, 1833,	farmer	2
Shoreham,	Chas. Hunsdon,	cong u	Shoreham, Mar. 22, 1830,	farmer	2
Starksboro,	Thomas Morrison,	no pf u	Starksboro, Mar. 28, 1837,	farmer	2
Vergennes,	Wm. S. Hopkins,	no pf u	Panton, Feb. 28, 1825,	physician	1
Waltham,	E. F. Benton,	no pf u	Waltham, June 9, 1826,	farmer	2
Weybridge,	Edwin Lawrence,	meth u	Weybridge, May 24, 1805,	farmer	1
Whiting,	Albert Hubbard,	no pf u	Whiting, Feb. 6, 1827,	farmer	

## BENNINGTON COUNTY.

Arlington,	J. N. B. Thomas,	no pf u	Sandgate, April 28, 1812,	farmer	2
Bennington,	T. W. Park,	no pf u	Bennington, Dec. 8, 1823,	attorney	1
Dorset,	Welcome Allen,	univ u	Dudley, Ms., Feb. 21, 1811,	iron foundry	2
Glastenbury,	John Elwell,	meth op	Shaftsbury, May 1, 1797,	farmer	8
Landgrove,	Ambrose Woodward,	meth u	Landgrove, March 10, 1811,	farmer	2
Manchester,	A. L. Miner,	epis u	Middletown, Sept. 23, 1804,	attorney	9
Peru,	E. Batchelder, 2d,	cong u	Peru, Aug. 27, 1812,	farmer	2
Pownal,	Solomon W. Gardner,	2d ad u	Pownal, Jan. 11, 1822,	farmer	1
Readsboro,	Silas Mason,	univ u	Princeton, Ms., Apr. 6, 1826,	manufacturer	2
Rupert,	George Hopkins,	no pf u	Rupert, April 22, 1819,	farmer	1
Sandgate,	Burr Huid,	univ u	Sandgate, Sept. 11, 1805,	farmer	2
Searsburgh,	Willard Sumner,	univ u	Gilsom, N. H., Dec. 5, 1829,	farmer	1
Shaftsbury,	Myron Barton,	bap u	Shaftsbury, April 17, 1821,	farmer	1
Stamford,	Samuel N. Bemis,	meth u	Dummerston, April 20, 1823,	physician	3
Sunderland,	Paul Shuffleton,	meth op	England, Oct. 14, 1822,	ag't manu co	2
Winhall,	C. C. Wheeler,	univ u	Jamaica, Aug. 31, 1817,	farmer	2
Woodford,	Elmer Gleason,	univ u	Row, Ms., Feb. 26, 1827,	farmer	1

## CALEDONIA COUNTY.

Barnet,	C. A. Sylvester,	no pf u	Waterford, Aug. 21, 1826,	farmer	2
Burke,	C. T. A. Humphrey,	meth u	St. Johnsbury, Jan. 1, 1822,	merchant	2
Danville,	Benja. Greenbanks,	meth u	England, June 14, 1825,	manu facturer	1
Groton,	Daniel Coffrin,	no pf u	Groton, July 28, 1821,	farmer	2
Hardwick,	Daniel W. Aiken,	indep u	Dracut, N. H., Mar. 23, 1799,	merchant	8
Kirby,	Charles H. Graves,	cong u	Westminster, Jan. 23, 1809,	farmer	5
Lyndon,	Henry Chase,	cong op	Lyndon, Oct. 10, 1827,	farmer	1
Newark,	M. A. Taft,	bap u	Sutton, Feb. 16, 1834,	farmer	1
Peacham,	Harvey Sanborn,	no pf op	Peacham, Aug. 17, 1817,	merchant	1
Eyegate,	George Cowles,	cong u	Peacham, Sept. 27, 1809,	merchant	4
Sheffield,	Sewall Bradley,	bap op	Wheelock, Oct. 24, 1803,	farmer	6
St. Johnsbury,	Jonathan Ross,	cong u	Waterford, April 30, 1826,	attorney	1
Sutton,	Wm. F. Ruggles,	bap u	Sutton, April 17, 1826,	drover	1
Walden,	Harvey Burbank,	no pf u	Walden, March 2, 1824,	farmer	2
Waterford,	J. W. Hastings,	univ u	Waterford, Oct. 21, 1815,	farmer	3
Wheelock,	Jonathan Woodman,	bap u	Wheelock, March 27, 1798,	clergyman	1

## CHITTENDEN COUNTY.

<i>Towns.</i>	<i>Representatives.</i>	<i>Rel. &amp; Pol. Pf.</i>	<i>When and where born.</i>	<i>Occupation.</i>	<i>Term.</i>
Bolton,	Harmon Hall,	bap u	Jericho, March 24, 1830,	farmer	2
Burlington,	Lawrence Barnes,	bap u	Hillsboro, N. H., June 8, 1815,	lumber merc	2
Charlotte,	Peter E. Pease,	cong u	Litchfield, Ct., May 11, '18,	farmer	1
Colchester,	S. H. Weston,	meth u	Chesterfd, N. Y., Dec. 15, '25,	farmer	1
Essex,	Wm. B. Weston,	bap u	Plattsb'h, N. Y., Oct. 23, '31,	farmer	1
Hinesburgh,	M. H. Baldwin,	bap u	Waterville, Sept. 16, 1829,	farmer	2
Huntington,	Henry Brewster,	no pf u	Huntington, Oct. 16, 1834,	farmer	2
Jericho,	Lucius L. Lane,	cong u	Jericho, Oct. 1, 1818,	farmer	2
Milton,	H. G. Boardman,	no pf u	So. Hero, March 12, 1839,	lumber dealer	2
Richmond,	Safford Brownson,	cong u	Richmond, Jan. 30, 1818,	farmer	2
Shelburne,	John L. Barstow,	epis u	Shelburne, Feb. 21, 1833,	farmer	2
So. Burlington,	A. E. Slocum,	cong u	So. Burlington, April 7, '33,	farmer	1
St. George,	Norman Isham,	no pf u	St. George, May 4, 1834,	farmer	2
Underhill,	Geo. W. Roberts,	epis u	Putney, Nov. 23, 1831,	physician	1
Westford,	Alney Stone,	univ u	Westford, April 11, 1830,	farmer	3
Williston,	D. B. Fay,	univ u	Richmond, July 17, 1817,	farmer	2

## ESSEX COUNTY.

Bloomfield,	Orlando Shoff,	meth op	Stratford, N. H., Oct. 8, 1805,	farmer	2
Brighton,	Wm. M. Currier,	bap u	Brighton, Dec. 18, 1833,	farmer	2
Brunswick,	Chauncey H. Fitts,	no pf u	Braintree, Sept. 10, 1825,	farmer	3
Canaan,	Samuel H. Parsons,	no pf u	Rutland, Sept. 21, 1820,	farmer	2
Concord,	Harvey Devine,	cong u	Concord, March 28, 1820,	farmer	1
East Haven,	Oscar T. Walter,	no pf u	East Haven, July 30, 1837,	farmer	2
Granby,	P. C. Ford,	meth u	Kirby, May 8, 1841,	farmer	2
Guildhall,	Henry E. Stevens,	meth u	Bakersfield, Nov. 1, 1830,	clergyman	1
Lemington,	Wm. H. Sims,	meth u	Lemington, Oct. 20, 1832,	farmer	2
Lunenburg,	Roswell Bowker,	cong u	Lunenburg, Aug. 26, 1817,	farmer	2
Maldstone,	Charles Stevens,	univ op	Maldstone, May 23, 1809,	farmer	6
Victory,	Isaac K. Houston,	meth u	Lyman, N. H., July 9, 1804,	farmer	5

## FRANKLIN COUNTY.

Bakersfield,	Wm. C. Wilson,	meth u	Cambridge, July 23, 1812,	attorney	5
Berkshire,	Geo. C. Ellsworth,	no pf u	Berkshire, April 13, 1830,	attorney	2
Enochburgh,	Wm. R. Hutchinson,	cong u	Grand Isle, Dec. 16, 1824,	physician	2
Fairfax,	Lewis A. Dunn,	bap u	Bakersfield, June 12, 1814,	clergyman	1
Fairfield,	J. O. Crampton,	epis op	Berkshire, July 7, 1837,	physician	1
Fletcher,	Lorenzo Blaisdell,	meth u	Cambridge, Dec. 17, 1807,	farmer	1
Franklin,	Wm. C. Robie,	meth u	Fairfield, Dec. 15, 1823,	farmer	1
Georgia,	B. F. Sabin,	bap u	Georgia, June 20, 1810,	farmer	1
Highgate,	Warren Robinson,	univ u	Swanton, Jan. 13, 1812,	farmer	4
Montgomery,	Eufus Hamiton,	epis u	Brookfield, Sept. 30, 1795,	farmer	5
Richford,	Orville J. Smith,	no pf u	Bakersfield, Feb. 23, 1817,	tanner	2
Sheldon,	John F. Draper,	univ u	Sheldon, Dec. 3, 1827,	farmer	2
St. Albans,	Bradley Barlow,	no pf u	Fairfield, May 12, 1813,	cashier	5
Swanton,	Henry A. Burt,	cong u	Sheldon, Feb. 10, 1828,	attorney	1

## GRAND ISLE COUNTY.

Alburgh,	Edward Mott,	prot u	Alburgh, Sept. 20, 1833,	farmer	1
Grand Isle,	James E. McGowan,	rest u	Hoosac, N. Y., Nov. 6, 1815,	farmer	2
Isle La Motte,	E. R. Goodsell,	univ u	Isle La Motte, Sept. 3, 1837,	county clerk	1
North Hero,	Addison Hazen,	no pf u	Haverhill, N. H., Aug. 4, '30,	farmer	1
South Hero,	Warren Corbin,	rest u	Grand Isle, May 16, 1833,	farmer	1

## LAMOILLE COUNTY.

Belvidere,	Thomas Potter,	free th'k u	Waterville, Feb. 1, 1817,	mechanic	1
Cambridge,	Junius Wires,	meth u	Cambridge, April 14, 1810,	farmer	2
Eden,	James Brown,	univ u	Morristown, Sept. 15, 1829,	starch m'f	2
Elmore,	A. M. Kelly,	meth u	Pembroke, N. H., Sept. 24, '21,	farmer	1
Hydepark,	R. S. Page,	cong u	Hydepark, May 21, 1813,	farmer	2
Johnson,	Samuel Belding,	meth u	Swansey, N. H., Oct. 12, '07,	merchant	2
Morristown,	E. E. Brigham,	no pf u	Morristown, July 26, 1823,	farmer	2
Stowe,	J. J. Boynton,	cong u	Stowe, June 9, 1834,	farmer	2
Waterville,	E. H. Shattuck,	no pf u	Cambridge, Feb. 8, 1829,	merchant	2
Wolcott,	R. F. Parker,	univ u	Lyman, N. H., Oct. 24, 1836,	attorney	1

## ORANGE COUNTY.

<i>Towns.</i>	<i>Representatives.</i>	<i>Rel. &amp; Pol. Pf.</i>	<i>When and where born.</i>	<i>Occupation.</i>	<i>Term.</i>
Bradford,	Hubbard Wright,	no pf u	Lyman, N. H., Sept. 18, 1818,	farmer	8
Braintree,	J. A. Spear, rel stud't nature u		Braintree, Sept. 1, 1811,	farmer	2
Brookfield,	John K. Cleaveland,	no pf u	Lebanon, N. H., May 6, 1830,	Judge probate	1
Chelsea,	William Hebard,	epis u	Windham, Conn., Nov. 29, '04,	attorney	8
Corinth,	A. S. Corlies,	no pf u	Bradford, Feb. 12, 1823,	farmer	1
Fairlee,	Wm. H. Kibbey,	cong u	Fairlee, Nov. 16, 1825,	farmer	2
Newbury,	Wm. W. Brock,	cong u	Newbury, June 7, 1819,	farmer	1
Orange,	E. C. Camp,	univ u	Orange, March 8, 1824,	farmer	2
Randolph,	S. B. Carpenter,	no pf u	Randolph, June 16, 1828,	farmer	1
Stratford,	Harry Huntington,	univ u	Washington, April 2, 1819,	farmer	2
Thetford,	S. M. Gleason,	meth u	Thetford, June 28, 1834,	attorney	2
Topsham,	Ferdinand Sherwin,	meth u	Boston, Ms., Nov. 13, 1837,	merchant	1
Tunbridge,	James M. Whitney,	no pf u	Tunbridge, Nov. 4, 1830,	mechanic	2
Vershire,	Wm. Sanborn,	bap u	Sanbort'n, N. H. Jan. 12, '07,	farmer	1
Washington,	Heman A. White,	univ u	Washington, Sept. 21, 1817,	attorney	5
West Fairlee,	Wm. H. Kimball,	lib u	West Fairlee, Mar. 9, 1819,	hotel keeper	2
Williamstown,					

## ORLEANS COUNTY.

Albany,	Byron N. Moore,	meth u	Plainfield, N. H., Nov. 29, '30,	farmer	2
Barton,	H. P. Cushing,	meth u	Burke, June 10, 1816,	clergyman	2
Brownington,	C. E. Josly,	cong u	Morristown, Apr. 14, 1837,	farmer	1
Charleston,	Daniel Webster,	cong u	Stanstead, C. E., Sept. 5, '05,	merchant	3
Coventry,	Ira Boynton,	cong u	Coventry, Dec. 13, 1810,	farmer	2
Craftsbury,	Moses Root,	cong u	Montague, Ms., Mar. 25, '21,	farmer	1
Derby,	John H. Skinner,	meth u	Grantham, N. H., Aug. 26, '07,	merchant	2
Glover,	Duron Whittlesey,	cong u	Plainfield, Jan. 5, 1813,	merchant	2
Greensboro,	John M. Smith,	presb u	Scotland, Nov. 10, 1816,	farmer	2
Holland,	H. B. Hanson,	meth u	Barnston, C. E., Dec. 31, '18,	farmer	1
Isasburgh,	Henry Somers,	cong u	Starksboro, Jan. 29, 1818,	farmer	1
Jay,	M. S. Chamberlin,	bap u	Troy, Oct. 29, 1825,	farmer	1
Lowell,	D. B. Curtis,	cong u	Lowell, May 17, 1823,	farmer	1
Morgan,	Josiah Hamblet,	no pf u	Morgan, Aug. 23, 1828,	farmer	1
Newport,	B. R. McClary,	univ u	Groton, Dec. 29, 1833,	merchant	1
Salem,	E. H. Laythe,	univ u	Salem, Feb. 13, 1837,	farmer	2
Troy,	Edward Bickford,	cong u	Fairfield, March 13, 1831,	stove dealer	1
Westfield,	D. H. Buck,	univ u	Westford, April 9, 1829,	farmer	2
Westmore,	Harry Cheney,	no pf u	Burke, Oct. 3, 1823,	farmer	2

## RUTLAND COUNTY.

Benson,	Daniel Crofoot,	cong u	Granville, N. Y., Dec. 14, '30,	farmer	2
Brandon,	Volney Ross,	cong u	Shrewsbury, June 12, 1814,	merchant	1
Castleton,	E. M. Phillips,	fr thinker u	Ticonderoga, N. Y., Jan. 17, '30,	merchant	1
Chittenden,	L. I. Winslow,	meth u	Norwich, Nov. 9, 1829,	farmer	2
Clarendon,	Linsey Rounds,	lib. u	Clarendon, Aug. 29, 1818,	farmer	4
Danby,	Clark Bull,	no pf u	Danby, June 3, 1814,	farmer	1
Fairhaven,	J. W. Hamilton,	cong u	Fairhaven, Jan. 10, 1835,	farmer	1
Hubbardton,	Daniel Holmes,	cong u	Hubbardton, March, 7, 1837,	farmer	1
Ira,	L. F. Mason,	bap u	Ira, Aug. 25, 1837,	farmer	1
Mendon,	J. E. Johnson,	meth u	Plymouth, Jan. 30, 1831,	farmer	1
Middletown,	Harley Spaulding,	cong u	Middletown, April 9, 1810,	farmer	
Mt. Holly,	Alfred Crowley,	bap u	Mt. Holly, Nov. 10, 1814,	farmer	2
Mt. Tabor,	C. F. Griffith,	no pf u	Mt. Tabor, May 7, 1826,	farmer	2
Pawlet,	L. M. Carpenter,	meth u	Kirby, Feb. 1, 1821,	farmer	1
Pittsfield,	R. F. Wing,	no pf u	Rochester, May 29, 1828,	farmer	1
Pittsford,	I. C. Wheaton,	cong u	Pittsford, Oct. 16, 1810,	farmer	2
Poultney,	Merritt Clark,	cong u	Middletown, Feb. 11, 1803,	banker	6
Rutland,	John Prout,	bap u	Salisbury, Nov. 23, 1816,	attorney	3
Sherburne,	D. W. Taylor,	chris u	Plymouth, June 18, 1823,	farmer	3
Shrewsbury,	T. G. Foster,	cong u	Mt. Holly, Sept. 7, 1811,	merchant	1
Sudbury,	Perry Ketchum,	no pf u	Sudbury, April 8, 1823,	farmer	1
Tinmouth,	Cyrus Cramton,	cong u	Tinmouth, March 2, 1828,	farmer	2
Wallingford,	D. E. Nicholson,	bap u	Tinmouth, June 7, 1812,	attorney	3
Wells,	James H. Parks,	epis u	Wells, Sept. 8, 1823,	farmer	2
West Haven,	Samuel Adams,	bap u	West Haven, June, 3, 1812,	farmer	2

## WASHINGTON COUNTY.

Towns.	Representatives.	Rel. & Pol. Pf.	When and where born.	Occupation.	Term.
Barre,	George W. Tilden,	univ u	Barre, May 23, 1833,	manufacturer	1
Berlin,	Josiah Benjamin,	cong u	Berlin, July 6, 1803,	farmer	2
Cebot,	None.				
Calais.	A. M. Foster,	univ u	Calais, Jan. 30, 1830,	farmer	2
Duxbury,	Luther Graves,	cong u	Greenfield, Ms., Sept. 21, '12,	farmer	1
E. Montpelier,	F. M. Shepard,	cong u	Plainfield, June 16, 1809,	farmer	1
Fayston,	George O. Boyce,	meth u	Fayston, Aug. 15, 1834,	farmer	2
Marshfield,	Wm. Martin, Jr.,	cong u	Marshfield, Dec. 31, 1814,	farmer	1
Middlesex,	C. C. Putnam,	meth u	Middlesex, Feb. 9, 1809,	lumb merc	2
Montpelier,	Joel Foster, Jr.,	unita u	Fayston, June 27, 1835,	merchant	1
Moretown,	Hiram Hathaway,	meth op	Calais, July 28, 1811,	farmer	1
Northfield,	Samuel Keith,	bap u	Randolph, July 21, 1821,	physician	2
Plainfield,	W. S. Martin,	univ u	Marshfield, Jan. 26, 1837,	farmer	2
Roxbury,	Edmund Pope,	univ u	Northfield, Sept. 24, 1810,	farmer	3
Waitsfield,	D. M. Phelps,	cong u	Waitsfield, Oct. 10, 1834,	farmer	2
Warren,	Edwin Cardell,	no pf u	Warren, Jan. 17, 1834,	farmer	1
Waterbury,	Wm Wells,	cong u	Waterbury, Dec. 14, 1837,	merchant	1
Woodbury,	Joel C. Harvey,	univ u	Woodbury, Aug. 24, 1829,	farmer	1
Worcester,	J. E. Macomber,	univ u	Montpelier, July 3, 1834,	physician	2

## WINDHAM COUNTY.

Athens,	A. A. Wyman,	meth u	Rockingham, Mar. 19, 1830,	farmer	2
Brattleboro,	S. M. Waite,	cong u	Jamaica, Oct. 8, 1825,	cashier	2
Brookline,	O. C. Merrifield,	bap u	Newfane, July 15, 1835,	farmer	1
Dover,	Wm. H. Jones,	meth u	Dover, Sept 9, 1807,	merchant	4
Dummerston,	George W. Walker,	cong u	Dummerston, Sept. 25, 1822,	manufacturer	1
Grafton,	John L. Butterfield,	no pf u	Grafton, Aug. 29, 1830,	soapstone deal	3
Guilford,	Samuel L. Hunt,	bap u	Oakham, Ms., May 28, 1810,	farmer	6
Halifax,	Albert J. Tucker,	bap u	Halifax, May 10, 1824,	farmer	1
Jamaica,	Abijah Muzzy,	bap u	Jamaica, May 30, 1819,	merchant	1
Londonderry,	Daniel Davis,	univ u	Londonderry, Jan. 8, 1819,	farmer	1
Marlboro,	N. R. Whitney,	cong u	Marlboro, March, 1831,	farmer	1
Newfane,	H. T. Robinson,	cong u	Newfane, Aug. 25, 1803,	produce dealer	1
Putney,	David R. Cobb,	univ u	Putney, May 30, 1810,	farmer	1
Rockingham,	Daniel Campbell,	cong u	Westminster, March 8, 1820,	physician	2
Somerset,	Sumner Curtis,	meth u	Orange, Ms., Sept 14, 18.9,	farmer	1
Stratton,	N. N. Glazier,	bap u	Stratton, Dec. 12, 1834,	student	1
Townshend,	John H. Converse,	no pf u	Wardsboro, Feb. 12, 1822,	farmer	1
Vernon,	Lorenzo Brown,	cong u	Heath, Ms., Aug. 19, 1807,	farmer	2
Wardsboro,	A. J. Deter,	no pf u	Wardsboro, April 27, 1818,	merchant	4
Westminster,	Homer Goodhue,	cong u	Westminster, Mar. 4, 1811,	farmer	2
Whitingham,	Amherst Lamb,	bap u	Philipstown, Ms., July 28, '96,	clergyman	1
Wilmington,	Henry Whitney,	cong u	Marlboro, Dec. 22, 1812,	farmer	1
Windham,	Wm. Harris, Jr.,	cong u	Newburgh, O., Jan. 3, 1819,	merchant	6

## WINDSOR COUNTY.

Andover,	George W. Stickney,	fr th u	N. Ipswich, N. H., Oct. 25, '04,	farmer	6
Baltimore,	J. W. Leland,				
Barnard,	Hiram J. Luce,	univ u	Bridgewater, Feb. 5, 1827,	farmer	1
Bethel,					
Bridgewater,	C. N. Wood,	no pf u	Plymouth, June 15, 1834,	farmer	1
Cavendish,	Josiah Gilson,	univ u	Rindge, N. H., Dec. 22, 1793,	ret'd from bus	1
Chester,	Wm. Rounds,	lib	Chester, July 13, 1825,	attorney	5
Hartford,	Wm. G. Chandler,	bap u	Hanover, N. H., Nov. 16, '17,	farmer	1
Hartland,	John Colby,	cong u	Barre, Sept. 17, 1804,	farmer	13
Ludlow,	Wm H. Walker,	epis u	Windham, Feb. 2, 1833,	attorney	2
Norwich,	A. G. Pease,	cong u	Canaan, Ct., Feb. 22, 1811,	clergyman	2
Plymouth,	A. N. Earle,	chris u	Plymouth, April 13, 1816,	farmer	1
Poufret,	Ora Paul,	chris u	Poufret, June 25, 1836,	farmer	1
Reading,	Sumner Fletcher,	no pf u	Plymouth, June 25, 1812,	farmer	1
Rochester,	Chester Pierce,	unita u	Royalton, Jan. 2, 1819,	merchant	1
Royalton,	M. T. Skinner,	cong u	Royalton, March 9, 1831,	farmer	1
Sharon,	A. B. Mosher,	cong u	Sharon, Jan. 29, 1817,	farmer	2
Springfield,	C. A. Forbush,	cong u	Reading, Jan. 8, 1823,	merchant	2
Stockbridge,	J. B. Rogers,	cong u	Stockbridge, Aug. 23, 1829,	farmer	2
Whithersfield,	Hyren Henry,	cong u	Whithersfield, Nov. 9, 1849,	manufacturer	4
Wendon,	L. A. Gould,	no pf u	Jeffrey, N. H., Aug. 10, '21,	farmer	2
W. Windsor,	M. F. Morrison,	univ u	W. Windsor, March 2, 1825,	farmer	2
Windsor,	J. A. Pollard,	bap u	Plymouth, Nov. 19, 1817,	supt at prison	5
Woodstock,	Lewis Pratt,	meth u	Woodstock, Jan. 17, 1815,	book seller	2

<i>Officers of the House.</i>		<i>When and where born.</i>	<i>Occupation.</i>	<i>Term.</i>
John Barden, Wells,	Door-Keeper,	Savoy, Mass., Jan. 14, 1807,	farmer	3
H. G. Stiles, Windsor, Assistant	"	Strafford, Feb. 27, 1842,	clerk	1
George Lynde, Williamstown, Messenger,		Williamstown, Feb. 3, 1849,	student	9
Leland L. Harrington, St. Johnsbury,	"	St. Johnsbury, March 9, 1846,	musician	1
George H. Newland, Iraaburgh,	"	Hydepark, July 28, 1851,	student	1
Charles H. Lane, Cornwall,	"	Cornwall, Jan. 14, 1853,	student	1

## RECAPITULATION OF THE HOUSE.

*Occupation.*—Farmers 154; merchants 23; attorneys 17; physicians 8; clergymen 6; manufacturers 5; students 4; clerks 4; lumber dealers 2; cashiers 2; mechanic 1; county clerk 1; book keeper 1; hotel keeper 1; no business 1; book-seller 1; iron founder 1; superintendent of State's prison 1; starch manufacturer 1; agent for manufacturer 1; banker 1; drover 1; soapstone dealer 1; stove dealer 1; tanner 1; judge of probate 1; musician 1.

*Religious Preference.*—Congregationalists 60; Methodists 36; No Preference 4; Universalists 31; Baptists 28; Episcopalians 8; Free Thinkers 3; Liberals 3; Unitarians 2; Christians 2; Independent 2; Restorationists 2; Presbyterian 1; Religious Student of Nature 1; Protestant 1; Second Advent 1.

*Nativity.*—Vermont 203; New Hampshire 16; Massachusetts 11; Canada East 1; Scotland 1; New York 6; Connecticut 2, Ohio 1; Ireland 1; England 1.

Oldest member—Josiah Gilson, Cavendish, 71 years. Youngest member—P. C. Ford, Granby, 24 years.

Union—213. Opposition—11.

## STATE OF VERMONT.

BY PAUL DILLINGHAM, GOVERNOR.

## A PROCLAMATION.

At the request of the Legislature, in accordance with the custom of the fathers, and in conformity with my own wishes and purpose, I hereby appoint THURSDAY, THE 7TH DAY OF DECEMBER NEXT, to be observed by the people of this State, as a day of PUBLIC THANKSGIVING, PRAYER AND PRAISE TO ALMIGHTY GOD.

Praise is comely; comely indeed when offered to Him whose mercy endureth forever.

To any enlightened mind, to each heart of flesh, the mercies of God in Christ, are constantly suggesting innumerable causes of humble gratitude and thanksgiving.

Looking over the year now drawing to a close we are led to exclaim, what hath not God done for us?

The struggle for national existence is closed, the great rebellion is conquered and its foundation destroyed.

Peace with its countless blessings again smiles upon us; and through the darkness of the past, gleams the light of a great hope—hope of a restored Union and lasting concord.

In our own State a promising seed time has been followed by an abundant harvest.

Honest labor in any department of life has received its full reward.

Our political, civil and religious liberties have been preserved unimpaired.

Free schools, and a free Bible are ours; each in harmony with the other, counteracting ignorance and sin.

For these and the rich and glorious hope set before us in the Gospel of the ever blessed Christ, let us on that day lay aside our usual avocations—assemble in our several places of worship, and there render to God our humble thanks for all the mercies His love has conferred upon us.

*Given under my hand and the Seal of the State, in Executive Chamber, at Montpelier, this seventh day of November, in the year of our Lord one thousand eight hundred and sixty-five, and of the Independence of the United States the ninetieth.*

PAUL DILLINGHAM.

By His Excellency, the Governor,  
CHARLES M. GAY, Sec'y of Civil and Military Affairs.

## STATE OF VERMONT.

BY PAUL DILLINGHAM, GOVERNOR.

## A PROCLAMATION.

A hallowed custom, the dictates of the Christian heart, and our public and individual necessities, alike demand at this season a united recognition of our dependence in all things upon the providence of God. I do therefore appoint FRIDAY, THE 13TH DAY OF APRIL NEXT, to be observed as a day of HUMILIATION, FASTING AND PRAYER, by the people of this State. And I earnestly enjoin upon them that they then abstain from their usual employments and observe the day in the devout spirit of the fathers.

Assembling in our respective places of public worship, prostrating ourselves in penitential confession of our manifold sins as individuals and as a people, and imploring forgiveness of the same, let us also on that day offer earnest supplications to Almighty God;

That our hearts may be penetrated with due and humble gratitude to Him who hath given us the great victory, for the preservation of the life of this nation, and for all His numberless and signal mercies;

That He will inspire all those in authority with moderation and forbearance, with firmness in the right, and with wisdom to extricate us from the perils which still remain, and to establish the nation on the lasting foundation of equal and exact justice to all men;

That He will allay the spirit of strife, restore concord, and revive throughout the land the righteousness that exalted a nation;

That He will regard with His favor the people of this State;

That He will dispose all our hearts to the practice of humility, benevolence, temperance, obedience to law, industry, frugality and honesty, and all Christian principles and virtues;

That He will crown the labors of the husbandman with a plenteous harvest, and all honest industry with success;

That He will stay the pestilence that has recently afflicted other lands, and mercifully spare us from its ravages, granting us the inestimable blessing of continued health;

That He will comfort those who have been bereaved by the calamities of war, and all who mourn, and incline our hearts to relieve the unfortunate and the needy;

That He will preserve our religious, educational and charitable institutions, and our political, civil and religious liberties;

That He will turn from us all those evils that we most justly have deserved; and that He will help us upward to the perfect stature of a Christian people.

*Given under my hand and the Seal of the State, in Executive Chamber, at Waterbury, this sixteenth day of March, in the year of our Lord one thousand eight hundred and sixty-six, and of the independence of the United States the sixtieth.*

PAUL DILLINGHAM.

By His Excellency, the Governor,  
CHARLES M. GAY, Sec'y of Civil and Military Affairs.

## MANUAL OF PARLIAMENTARY PRACTICE.

COMPILED BY HENRY CLARK, SECRETARY OF THE SENATE.

### QUORUM.

In general the chair is not to be taken till a quorum for business is present, unless after due waiting such a quorum be obtained, when the chair may be taken and the House adjourned. Whenever, during business, it is observed that a quorum is not present, any member may call for the House to be counted, and being found deficient, business is suspended.

[A majority of each House constitutes a quorum to do business.]

When there is no quorum present, the presiding officer has no authority to declare an adjournment, but must wait for a motion for that purpose.—*Cushing*.

### CALL OF THE HOUSE.

On a call of the House each person rises up as he is called and answers; the absentees are then only noted, but no excuse to be made till the House be fully called over. Then the absentees are called a second time, and if still absent, excuses are to be heard.

Orders for call on different days may subsist at the same time.

If a motion for a call of the House passes in the negative, a second motion for the same purpose is not in order until after the intervention of some parliamentary proceeding.—*Cushing*.

Unless a motion for a call of the House is restrained or regulated by some rule, it will take precedence of and suspend any other motion then pending, whether principal or subsidiary.—*Cushing*.

[During a call, the galleries and lobbies are cleared, the doors closed, and business suspended.]

Proceedings under a call of the House may be suspended wholly or in part, when a quorum has been secured.]

### SPEAKER.

There are certain duties pertaining to the office of Speaker, which are not necessary to be specified by rule, being so obviously proper and right as to be indisputable. We take the following from Mr. Cushing's Law and Practice of Legislative Bodies as sufficient for the purpose of this work:

1. The Speaker puts all questions and declares the determination of the House.
2. He communicates its resolutions to others, conveys its thanks, and expresses its censures, its reprimands or its admonitions.
3. He is the representative of the House itself in its powers, its proceedings, and its dignity.
4. He announces the business before the Assembly, in the order in which it is to be acted upon.
5. To restrain the members when engaged in debate within the rules of order.
6. To receive messages and other communications from other branches of the government and announce them to the Assembly.
7. When a legislative body is engaged in its judicial functions, it is the duty of the presiding officer to conduct the proceedings, to put questions to parties and witnesses, and to pronounce sentence or judgment.

8. He is always a member, and may present petitions, memorials and remonstrances sent to him.

[In this state he possesses the right to vote as other members, on all questions before the body, and may leave the chair and address the House on any question, though this is seldom done, except it be on an appeal from his decision, or in relation to some matter in which his constituents are deeply interested.]

If a member is called to the chair by the Speaker, he for the time being exercises all the functions of the regular Speaker. This substitution cannot extend beyond an adjournment, except as pointed out by rule.

The President and Speaker *pro tempore*, whilst they retain their right to vote, being members of their respective Houses, part with the right to participate in debate or to speak from the chair, except upon points of order, being subject in this respect to the rule applicable to their principals.

### COMMITTEES.

Standing committees are appointed to continue through the session. The person first named is generally permitted to act as chairman, but this is a matter of courtesy, every committee having a right to elect their own chairman, who presides over them, puts questions, and reports their proceedings to the House.

So soon as the House is in session and a committee is notified of it, the chairman is in duty bound to rise instantly and the members to attend upon the service of the House.

[In the appointment of committees, whether standing or select, the House has at all times the power to choose its own mode of selection. Under the rule the Speaker is invested with the authority to appoint, but the House can choose any other method it deems proper.]

### COMMITTEE OF THE WHOLE.

The form of going from the House into committee of the whole, is for the Speaker, on motion, to put the question, that the House do now resolve itself into a committee of the whole to take into consideration such a matter, naming it. The Speaker names the chairman, and takes a seat elsewhere as any other member; and the person appointed chairman takes the Speaker's chair. Their quorum is the same as that of the House; and if a quorum is not present, the committee rises, the Speaker resumes the chair, and the chairman can make no other report than to inform the House of the cause of their dissolution. If a message is announced, the Speaker takes the chair, and receives it, because the committee cannot.

No previous question can be put in a committee; nor can this committee adjourn as others may; but if their business is unfinished, they rise, the House is resumed, and the chairman reports that the committee of the whole have according to order, had under their consideration such a matter, and have made progress therein, and have directed him to ask leave to sit again. Whereupon, a question is put on their having leave, and on the time when the House will again resolve itself into a committee. But if they have gone through with the matter referred to them, a member moves that the committee rise and their chairman report their proceedings to the House, the Speaker resumes the chair, the chairman informs him that the committee have gone through the business referred to them, and report the same, [with or without amendment, as the case may be,] and recommend its passage.

[No call for the yeas and nays can, neither can the previous question, be moved.]

[Should a question of order arise which the committee are unable to decide, the proper course is to rise, report progress, and ask leave to sit again for the purpose of obtaining the direction of the House in regard to it, for an appeal from the decision of a chairman of a committee of the whole has never been entertained.]

It is not in order to move to lay upon the table, to postpone indefinitely, or to a day certain, or to entertain any motion of privilege, while in committee of the whole.

A motion to strike out the enacting clause is not in order until the bill has been gone through, for the obvious reason that the House ought first to try to perfect before they destroy the bill. For the same reason a motion to amend a section takes precedence of a motion to strike out. If while a motion is pending to strike out the enacting clause, a motion is made to amend a certain part of the bill, the question on the latter motion takes precedence of the former.

The motion to rise and report progress, though in order at any stage of proceedings, is made and negatived, some business or question or debate must intervene before it can be renewed.—*Cronwell*.

### ORDER IN DEBATE.

When any member means to speak, he is to stand up in his place and to address himself not to the House or any particular member, but to the Speaker, who calls him by his name, that the House may take notice who it is that speaks.

When a member stands up to speak, no question is to be put; but he is to be heard, unless the House overrule him.

If two or more rise to speak nearly together, the Speaker determines who was first up, and calls him by name; whereupon he proceeds, unless he voluntarily sits down and gives way to the other.

But if the Speaker rise to speak, the member standing up should sit down, that he may be first heard.

No person in speaking is to mention a member then present by his name, but to describe him by his seat in the House, or who spoke last, or on the other side of the question.

It is a breach of order in debate to notice what has been said on the same subject in the other House, or the particular votes or majorities on it there, because the opinion of each House should be left to its own independency, not to be influenced by the proceedings of the other; and quoting them might beget reflections leading to misunderstanding between the two Houses.

[When the yeas and nays are called and seconded by a member and stated by the clerk, the question is open for discussion. If, however, the Speaker directs the Clerk to proceed with the call, there can be no further debate.]

When a question is put in the form in which it is to be taken, by consent, the question is open for debate until the Speaker's declaration. —Cushing.

### MOTIONS.

A motion is defined to be a proposition made to the Assembly by a member, and seconded by another, that the Assembly do something, or order something to be done, or express an opinion in regard to some matter or thing. Every matter of business must be commenced and set in progress by means of a motion in the first instance, and must be carried forward at every stage of its progress in the same manner. —Cushing.

[A motion for adjournment, or to take up any special order or bill, cannot be made by one member while another is speaking.]

When a motion has been made, it is the duty of the Speaker to state it to the House in the precise terms in which it is moved. —Cushing.

After debate on any question, the Speaker should always re-state the question before the vote is taken, to enable members to properly understand it.

If the Speaker is unable to decide by the sound of the voices, he may put the question the second, or even the third time, before he declares his opinion. —Cushing.

Any member has a right to dispute the vote and to have a division of the House, provided he demands it within a proper time.

The Parliamentary principle in regard to the withdrawal or modification of motions is, when a motion has been once stated by the Speaker, the mover has no control over it whatever; but this is obviated by a modification; the right to modify is a consequence of the right to withdraw, and may be exercised whenever the latter is allowable. The motion may be withdrawn or not, by the consent of the House, before the question is fully put upon it.

### BILLS.

When a bill is first presented, the Clerk reads it at the table and hands it to the Speaker, who states to the House the title of the bill, and that it is the first time of reading it; and the question will be, shall the bill be read a second time.

A bill cannot be amended at its first reading.

The second reading of a bill is usually by its title. Opposition is not usual to the second reading, but it may be made and rejected.

Public bills are usually printed after second reading, and referred to the appropriate standing committee.

Private bills are referred directly to the proper committee.]

### COMMITTEES.

A committee can only act when together, and not by separate consultation and consent, nothing being the report of the committee but what has been agreed to in committee actually assembled.

The committee have full power over the bill or other paper committed to them, except that they cannot change the title or subject.

The committee may not erase, interline, or blot the bill itself, but must, in a paper by itself, set down the amendments, stating the words that are to be inserted or omitted, and where, by reference to the page, line, and word of the bill. —Jefferson.

If the report of a committee be accompanied by an original bill, in accordance with a petition, or by order of the House, or the committee's own views of public interest or policy, such bill must have its first and second readings before any disposition can be made of it.

If the report of a committee be adverse to a bill, the question of agreeing to the report may be taken forthwith.

If the report be neither favorable or adverse, the bill may be re-committed for an opinion, or disposed of as other bills coming from the committee with a favorable report thereon. —Crosswell.

If a committee, being equally divided in opinion, finds itself unable to determine the matter referred to it, it may refer the matter back to the determination of the House, or it may report a statement of the facts, and thereupon ask to be discharged from the further consideration of the subject. —Journal of the House, Nineteenth Congress, first Session.

### RECOMMITMENT OF BILLS.

After a bill has been committed and reported, it ought not, in an ordinary course, to be re-committed. But in cases of importance, and for special reasons, it is sometimes re-committed,

and usually to the same committee. If a report be committed before agreed to in the House, what has passed in the committee is of no validity; the whole question is again before the committee, and a new resolution must be again moved, as if nothing had passed.

A particular clause of a bill may be committed without the whole bill, or, so much of a paper to one, and so much to another committee.—*Jefferson*.

### READING PAPERS.

Where papers are laid before the House, or referred to a committee, every member has a right to have them once read at the table before he can be compelled to vote on them.—*Jefferson*.

### PRIVILEGED QUESTIONS.

It is a general rule that the question first moved and seconded shall be first put. But this rule gives way to privileged questions.

A motion to adjourn, simply, takes place of all others; yet this motion cannot be received after another question is actually put, and while the House is engaged in voting.

Every parliamentary assembly have certain forms of questions so adjusted as to enable them fully to dispose of every proposition which can be made to them. 1. The previous question. 2. To postpone definitely. 3. To adjourn to a definite day. 4. To lie on the table. 5. To commit. 6. To amend.

The question for committing, though last moved, shall be first put; because it facilitates the motion to amend.—*Scobell* is express.

On a motion to amend a bill, any one may, notwithstanding, move to commit it, and the question for commitment shall be first put.—*Jefferson*.

Privileged questions, of course, take the place of, and must be decided before, the primary question, or the question to which they are incidental, and they may take the place of each other, being of different grades among themselves, and having precedence one over another.

It is not admissible to move to amend or table or postpone or commit the question of adjournment, or for the previous question, or for laying on the table, or for a call of the House.

Nevertheless, a motion to postpone the primary or main question being before the House, it is admissible to amend so as to postpone to one day instead of another, or to a special, instead of an indefinite time.

A motion to commit the primary or main question being before the House, it is admissible to amend by adding instructions or to change the committee.—*Crowell*.

The general rule in regard to business regularly before the House is, that it must be disposed of either for the time, or permanently, and that until such disposition of it is made, no other motion or question can be, regularly, or arise so as to take its place and be first acted upon; except on motions designated by the Rules of the House.

If a matter of business is made the special order for a particular day or hour, whatever business is then before the House when that time arrives, is superseded until the special order is disposed of, unless the House should at that time be in committee of the whole.

### LEAVE ASKED TO WITHDRAW A MOTION.

The rule of parliament being that a motion made and seconded is in possession of the House, and cannot be withdrawn without leave, the very terms of the rule imply that leave may be given, and consequently may be asked, and put to the question.—*Jefferson*.

### PREVIOUS QUESTION.

When any question is before the House, any member may move a previous question, "Whether that question (called the main question) shall now be put?" If it pass in the affirmative, then the main question is to be put immediately, and no man may speak anything further to it, either to add or alter.

If the previous question has been moved and seconded, and also proposed from the chair, it has been doubted whether an amendment can be admitted to the main question. *Hatwell* thinks it may, after the previous question is moved and seconded, but not after it has been proposed from the chair.

The previous question cannot be put upon subsidiary motions other than motions to amend, and which are used like the previous question itself, for the suppression of the original motion; neither can the motion to postpone, commit or lay upon the table, be applied to the previous question.—*Jefferson*.

The operation of the previous question lasts only until the questions upon amendments to amendments, and the main question, have been taken, and does not extend to the next stage in the progress of the same measure.—*Cushing*.

[The previous question is peculiar to the House. The Senate has no rule recognizing it.] The previous question is used as exclusively to force questions to a final vote, as to cut off amendment and debate; originally it was used only to suppress questions temporarily.

The previous question is of the privileged class, having precedence over all others, except motions to adjourn and for a call of the House. Pending amendments, when the previous question is moved and carried, the main question is usually deemed to include, and they must be put to vote in their order.

When a bill comes from a committee of the whole with amendments, if the previous question, which is on agreeing to the bill as amended, is moved and sustained, the main question is not to be put until all the amendments reported and remaining unacted upon at the time have been put to vote.

## AMENDMENTS.

The rules governing amendments are few and simple, and based on parliamentary usage. On an amendment being moved, a member who has spoken to the main question may speak again to the amendment.

A motion is made to amend by striking out certain words and inserting others in their place, which is negatived. Then it is moved to strike out the same words and to insert others of a tenor entirely different from the first proposed. It is negatived. Then it is moved to strike out the same words and insert nothing, which is agreed to. All this is admissible, as the rejection of one proposition does not preclude the offering a different.—*Jefferson*.

As an amendment takes the place of, and must be decided before, the main question, so an amendment to an amendment has priority over and must be decided before the primary amendment.

The chief restraint on amendments is that they cannot be piled one on another, beyond a certain degree; that is, while an amendment to an amendment is admissible, it is inadmissible to amend in the third degree.

They cannot be made to privileged questions of a certain grade; as, for instance, to motions to adjourn, for the previous question, for a call of the House, to lay on the table.

An amendment, though inconsistent with one already adopted, cannot be shut out for that reason, but must be put to a vote if insisted on.

It is admissible to move, by way of amendment to the amendment, to modify the words proposed to be inserted before the question on inserting is put.—*Crawell*.

## DIVISION OF THE QUESTION.

If a question contain more parts than one, it may be divided into two or more questions. A question to be divisible, must comprehend points so distinct and entire, that one of them being taken away, the other may stand entire.

When a question is divided, after the question on the first member, the second is open to debate and amendment. [This rule does not apply when the vote is taken by yeas and nays.]

It is the duty of the presiding officer, subject to be overruled by the House, to decide whether the proposition in question is susceptible of the division called for or not.—*Jefferson*.

The member calling for the division states how and in what order he requires it to be made, and it is so made, unless overruled by the Speaker or House.—*Cushing*.

Questions of concurrence in amendments sent by one House to the other may be divided if divisible.—*Crawell*.

## EQUIVALENT QUESTIONS.

When questions are perfectly equivalent, so that the negative of the one amounts to the affirmative of the other, and leave no other alternative, the decision of the one concludes necessarily the other. Thus the negative of striking out amounts to the affirmative of agreeing; and therefore, to put a question on agreeing after that of striking out [has been negatived] would be to put the same question, in effect, twice over.

It is not so in questions of amendment between the two Houses. A motion made being negatived does not amount to a positive vote to insist, because there is another alternative, to wit—to adhere.

The questions respecting amendments from another House are: 1st, to agree; 2d, disagree; 3d, recede; 4th, insist; 5th, adhere.—*Jefferson*.

## THIRD READING.

To prevent bills from being passed by surprise, the House by a standing order directs that they shall not be put on their passage before a fixed hour.

A bill reported and passed to the third reading, cannot on that day be read a third time and passed.

A bill on third reading is not to be committed for the matter or body thereof, but to receive some particular clause or *proviso*; it has been sometimes suffered, but as a thing very unusual.—*Jefferson*.

[Bills have sometimes, by unanimous consent, been read a third time by their titles, such as charters and acts of incorporation. But this mode of reading a third time has never grown into a practice; and because it is in direct and clear contravention of the spirit and letter of the organic law.]

If the motion to reconsider the vote on the final passage of a bill or the bill itself after consideration, be laid on the table, neither such motion nor such bill can be called up for action, except when the third reading of bills is in order.

Motions to re-consider bills that have been passed, are sometimes made with a view to the rejection of such motions, and the end that such bills may be placed beyond the reach of delay or arrest from opposing parties.]

## DIVISION OF THE HOUSE.

The affirmative and negative of the question having been both put and answered, the Speaker declares whether the yeas or nays have it by the sound, if he be himself satisfied, and it stands as the judgment of the House, but if he be not himself satisfied which voice

is the greater, or if before any member comes into the House, or before any new motion is made, any member shall rise and declare himself dissatisfied with the Speaker's decision, the speaker is to count or divide the House.

#### TITLE.

After the bill has passed, and not before, the title may be amended, and it is to be fixed by a question, and then the bill is sent to the other House.—*Jefferson*.

#### RECONSIDERATION.

The general rule of parliamentary law is that a question once carried cannot be questioned, but must stand as the judgment of the House.

A bill once rejected, another of the same substance cannot be brought in again the same session.—*Jefferson*.

[A second re-consideration cannot be had, neither can there be a second motion for re-consideration, if the first motion is lost.

It has now become a common practice in all our legislative and other deliberative assemblies, and may consequently be regarded as a principle of the common parliamentary law of this country, to re-consider a vote already passed, whether affirmatively or negatively.—*Cushing*.

If a motion to re-consider prevails, the effect of the vote in question is abrogated, and the matter stands before the assembly in precisely the same state and condition, and upon the same question as if the vote which had been ordered to be re-considered, had never been passed.—*Cushing*.

If a Senate bill had been passed by the House with amendments, and those amendments were concurred in by the Senate, and a motion should be made in the House to re-consider the vote on its final passage, and a resolution had been offered in and adopted by the House, requesting the Senate to return the bill to the House, the Senate, before it could comply with the request, would first have to reconsider the vote had on the concurrence in the House amendments; for the bill, in order to be returned to the House, must be in the same condition in which it was when sent by the House to the Senate.]

See *Cushing* on amendments and re-consideration.]

#### AMENDMENTS BETWEEN THE HOUSES.

[When a bill is passed by the House and Senate, the proceedings in regard to the bill by both Houses are brought to a close. Should amendments be made, it is sent to the House, which originated the bill, with amendments, and the question is put, whether the House will concur in the amendment made by the other branch. If this is carried in the affirmative, the proceedings in regard to the bill close; but if they refuse to concur, it is returned with a notice of non-concurrence. The House making the amendment may recede, insist or adhere. A motion to recede takes precedence of motions to insist or adhere, and a motion to insist takes precedence of a motion to adhere. If the motion to recede prevails there is then an agreement between the two Houses on the bill; if the motion to insist prevails, it is followed by a motion for the appointment of a committee to confer with a similar committee of the other branch, on the subject of differences between the two Houses, which is called a committee of conference. If the motion to adhere prevails, it indicates that the House adopting it will not change its determination. But it is not irrevocable. A motion may be made to reconsider it, and if this is decided in the affirmative, it may be followed by a motion to recede or to insist.]

The House cannot recede from or insist on its own amendment with an amendment, for the same reason that it cannot send to the other House an amendment to its own act after it has passed the act. They may modify an amendment from the other House by engrafting an amendment on it because they have never assented to it: but they cannot amend their own amendment, because they have, on that question, passed it in that form.—*Jefferson*.

A motion to amend an amendment from either House takes precedence over the question of agreeing to or concurring in such amendment.—*Cresswell*.

#### CONFERENCES.

It is on occasion of amendments between the two Houses, that conferences are usually asked; but they may be asked in all cases of difference of opinion between the two Houses on matters depending between them. The request of a conference, however, must always be by the House which is in possession of the papers.

A conference may be asked, before the House asking it has come to a resolution of disagreement, insisting or adhering.—*Jefferson*.

The motion for a committee of conference may make a part of the motion to disagree, to recede, insist or adhere, and this motion may be divided; or, if the motion to insist, recede or adhere is made separately, the motion for a committee of conference may be added by way of amendment.—*Cushing*.

A committee of conference is not a heterogeneous body acting as one committee, but two committees, each of which acts by a majority.—*Journal of House, 30th Congress*.

The report of a committee of conference is in one of three forms, namely, either that the committee have agreed, or that they have disagreed, or that they have agreed in part, and disagreed for the residue.—*Cushing*.

## ADJOURNMENT.

A motion to adjourn simply, cannot be amended as by adding "to a particular day." But must be put simply, "*that this House do now adjourn.*"

When it is convenient that the business of the House be suspended for a short time, it adjourns during pleasure, or for a specified time.

If a question be put for adjournment, it is no adjournment till the Speaker pronounces it. — *Jefferson.*

A motion to adjourn cannot be made when the question of adjournment has just previously been put and decided in the negative. — *Cushing.*

[If a motion to adjourn be made ~~and decided in the negative~~, it cannot be immediately followed by another motion to adjourn; some business must intervene between the two motions.]

If, during a debate, or in fact, the transaction of any business, a less number than a quorum is present, the general parliamentary rule seems to give the Speaker power to adjourn the House, but the custom has been established of requiring a motion to be made for that purpose. Should no motion be made, and the Speaker not feel himself justified in exercising his right to adjourn the House, it is, nevertheless, his duty to suspend the proceedings until there is a quorum present, or until, by a call of the House, the absent members are brought in.

The notes in brackets are made by the compiler.

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